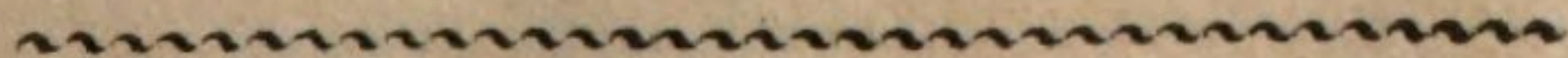


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VOL. XXXIII.

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THE LATTER PART

OF THE

REIGN OF

CHARLES THE FIRST

THE
HEART OF MID-LOTHIAN,
A ROMANCE,

BY THE
AUTHOR OF "WAVERLEY."

IN FOUR VOLUMES.

VOL. II.



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1822.

THE
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A ROMANCE

BY THE

AUTHOR OF "MAVERLEY"

IN FOUR VOLUMES

VOL. II

SWICKARD

PRINTED FOR BROWN, GREEN & CO.

1824

CHAPTER XIII.

*I'll warrant that fellow from drowning, were
the ship no stronger than a nut-shell. —*

The Tempest.

BUTLER felt neither fatigue nor want of refreshment, although, from the mode in which he had spent the night, he might well have been overcome with either. But in the earnestness with which he hastened to the assistance of the sister of Jeanie Deans, he forgot both

In his first progress he walked with so rapid a pace as almost approached to running, when he was surprised to hear behind him a call upon his name, contending with an asthmatic cough, and half-drowned amid the resounding

trot of an Highland poney. He looked behind, and saw the Laird of Dumbiedikes making after him with what speed he might, for it happened fortunately for the Laird's purpose of conversing with Butler, that his own road homeward was for about two hundred yards the same with that which led by the nearest way to the city. Butler stopped when he heard himself thus summoned, internally wishing no good to the panting equestrian who thus retarded his journey.

“Uh! uh! uh!” ejaculated Dumbiedikes, as he checked the hobbling pace of the poney by our friend Butler. “Uh! uh! it's a hard-set williard beast this o' mine.” He had in fact just overtaken the object of his chase at the very point beyond which it would have been absolutely impossible for him to have continued the pursuit, since there Butler's road parted from that leading to Dumbiedikes, and no means of influence or compulsion which the rider could possibly have used towards his Bucephalus could have induced the Celtic obstinacy of Rory Bean (such was the poney's name) to have diverged a yard from the path that conducted him to his own paddock.

Even when he had recovered from the shortness of breath occasioned by a trot much more rapid than Rory or he were accustomed to, the

high purpose of Dumbiedikes seemed to stick as it were in his throat, and impede his utterance, so that Butler stood for nearly three minutes ere he could utter a syllable, and when he did find voice, it was only to say, after one or two efforts, "Uh! uh! uhm! I say, Mr — Mr Butler, it's a braw day for the ha'rst."

"Fine day, indeed," said Butler. "I wish you good morning, sir."

"Stay — stay a bit," rejoined Dumbiedikes; "that was no what I had gotten to say."

"Then pray be quick, and let me have your commands," rejoined Butler; "I crave your pardon, but I am in haste, and *Tempus nemini* — you know the proverb."

Dumbiedikes did not know the proverb, nor did he even take the trouble to endeavour to look as if he did, as others in his place might have done. He was concentrating all his intellects for one grand proposition, and could not afford any detachment to defend outposts. "I say, Mr Butler," said he, "ken ye if Mr Saddle-tree's a great lawyer?"

"I have no person's word for it but his own," answered Butler drily; "but undoubtedly he best understands his own qualities."

"Umph!" replied the taciturn Dumbiedikes, in a tone which seemed to say, "Mr Butler, I

take your meaning." "In that case," he pursued, "I'll employ my ain man o' business, Nichel Novit, (auld Nickel's son, and amaist as gleg as his father,) to agent Effie's plea."

And having thus displayed more sagacity than Butler expected from him, he courteously touched his gold-laced cocked hat, and by a punch on the ribs, conveyed to Rory Bean, it was his rider's pleasure that he should forthwith proceed homewards; a hint which the quadruped obeyed with that degree of alacrity with which men and animals interpret and obey suggestions that entirely correspond with their own inclinations.

Butler resumed his pace, not without a momentary revival of that jealousy, which the honest Laird's attention to the family of Deans had at different times excited in his bosom. But he was too generous long to nurse any feeling, which was allied to selfishness. "He is," said Butler to himself, "rich in what I want; why should I feel vexed that he has the heart to dedicate some of his pelf to render them services, which I can only form the empty wish of executing? In God's name, let us each do what we can. May she be but happy! — saved from the misery and disgrace that seems impending — Let me but find the means of preventing the fearful experiment of this evening, and farewell to other

thoughts, though my heart-strings break in parting with them."

He redoubled his pace, and soon stood before the door of the Tolbooth, or rather before the entrance where the door had formerly been placed. His interview with the mysterious stranger, the message to Jeanie, his agitating conversation with her on the subject of breaking off their mutual engagements, and the interesting scene with old Deans, had so entirely occupied his mind as to drown even recollection of the tragical event which he had witnessed the preceding evening. His attention was not recalled to it by the groupes who stood scattered on the street in conversation, which they hushed when strangers approached, or by the bustling search of the agents of the city police, supported by small parties of the military, or by the appearance of the Guard-House, before which were treble centinels, or, finally, by the subdued and intimidated looks of the lower orders of society, who, conscious that they were liable to suspicion, if they were not guilty of accession to a riot likely to be strictly enquired into, glided about with an humble and dismayed aspect, like men whose spirits being exhausted in the revel and the dangers of a desperate debauch over night, are nerve-shaken, timorous, and unenterprising on the succeeding day.

None of these symptoms of alarm and trepidation struck Butler, whose mind was occupied with a different, and to him still more interesting subject, until he stood before the entrance to the prison, and saw it defended by a double file of grenadiers, instead of bolts and bars. Their "Stand, stand," the blackened appearance of the door-less gate-way, and the winding staircase, and apartments of the Tolbooth, now open to the public eye, recalled the whole proceedings of the eventful night. Upon his requesting to speak with Effie Deans, the same tall, thin, silver-haired turnkey, whom he had seen on the preceding evening, made his appearance.

"I think," he replied to Butler's request of admission, with true Scottish indirectness, "ye will be the same lad that was for in to see her yestreen?"

Butler admitted he was the same person.

"And I am thinking," pursued the turnkey, "that ye speered at me when we locked up, and if we locked up earlier on account of Porteous?"

"Very likely I might make some such observation," said Butler; "but the question now is, can I see Effie Deans?"

"I dinna ken gang in bye, and up the turnpike stair, and turn till the ward on the left hand."

The old man followed close behind him, with his keys in his hand, not forgetting even that huge one which had once opened and shut the outward gate of his dominions, though at present it was but an idle and useless burthen. No sooner had Butler entered the room to which he was directed, than the experienced hand of the warder selected the proper key, and locked it on the outside. At first Butler conceived this manœuvre was only an effect of the man's habitual and official caution and jealousy. But when he heard the hoarse command. "Turn out the guard," and immediately afterwards heard the clash of a centinel's arms, as he was posted at the door of his apartment, he again called out to the turnkey, "My good friend, I have business of some consequence with Effie Deans, and I beg to see her as soon as possible." No answer was returned. "If it be against your rules to admit me," repeated Butler, in a still louder tone, "to see the prisoner, I beg you will tell me so, and let me go about my business. — *Fugit irrevocabile tempus!*" muttered he to himself.

"If ye had business to do, you suld hae dune it before ye cam here," replied the man of keys from the outside; "ye'll find it's easier wunnin in than wunnin out here — there's sma' likelihood o' another Porteous-mob coming to rabble us again — the

law will haud her ain now, neighbour, and that ye'll find to your cost."

"What do you mean by that, sir?" retorted Butler. "You must mistake me for some other person. My name is Reuben Butler, preacher of the gospel."

"I ken that weel eneugh," said the turnkey.

"Well then, if you know me, I have a right to know from you in return, what warrant you have for detaining me; that, I know, is the right of every British subject."

"Warrant?" said the jailor, — "the warrant's awa to Libberton wi' twa sherriff officers seeking ye. If ye had staid at hame, as honest men should do, ye wad hae seen the warrant; but if ye come to be incarcerated of your ain accord, wha can help it, my jo?"

"So I cannot see Effie Deans, then" said Butler; "and you are determined not to let me out?"

"Troth will I no, neighbour," answered the old man, doggedly; "as for Effie Deans, ye'll hae eneugh ado to mind your ain business, and let her mind hers; and for letting you out, that maun be as the magistrate will determine. And fare ye weel for a bit, for I maun see Deacon Sawyers put on ane or twa o' the doors that your quiet folk broke down yesternight, Mr Butler."

There was something in this exquisitely provoking, but there was also something darkly alarming. To be imprisoned, even on a false accusation, has something in it disagreeable and menacing even to men of more constitutional courage than Butler had to boast, for although he had much of that resolution which arises from a sense of duty and an honourable desire to discharge it, yet, as his imagination was lively, and his frame of body delicate, he was far from possessing that cool insensibility to danger which is the happy portion of men of stronger health, more firm nerves, and less acute sensibility. An indistinct idea of danger, which he could neither understand nor ward off, seemed to float before his eyes. He tried to think over the events of the preceding night, in hopes of discovering some means of explaining or vindicating his conduct for appearing among the mob, since it immediately occurred to him that his detention must be founded on that circumstance. And it was with anxiety that he found he could not recollect to have been under the observation of any distinterested witness in the attempts that he made from time to time to expostulate with the rioters, and to prevail on them to release him. The distress of Dean's family, the dangerous rendezvous which Jeanie had formed, and which he

could not now hope to interrupt, had also their share in his unpleasant reflections. Yet impatient as he was to receive an *eclaircissement* upon the cause of his confinement, and if possible to obtain his liberty, he was affected with a trepidation which seemed no good omen; when, after, remaining an hour in this solitary apartment, he received a summons to attend the sitting magistrate. He was conducted from prison strongly guarded by a party of soldiers, with a parade of precaution, that, however ill-timed and unnecessary, is generally displayed *after* an event, which, if used in time, such precaution might have prevented.

He was introduced into the Council Chamber, as the place is called where the magistrates hold their sittings, and which was then at a little distance from the prison. One or two of the senators of the city were present, and seemed about to engage in the examination of an individual who was brought forward to the foot of the long greencovered table round which the council usually assembled. «Is that the preacher?» said one of the magistrates, as the city officer in attendance introduced Butler. The man answered in the affirmative. «Let him sit down there for an instant; we will finish this man's business very briefly.»

"Shall we remove Mr Butler?" queried the assistant.

"It is not necessary — Let him remain where he is."

Butler accordingly sate down on a bench at the bottom of the apartment, attended by one of his keepers.

It was a large room, partially and imperfectly lighted, but by chance, or the skill of the architect, who might happen to remember the advantage which might occasionally be derived from such an arrangement, one window was so placed as to throw a strong light at the foot of the table at which prisoners were usually posted for examination, while the upper end, where the examiners sate, was thrown into shadow. Butler's eyes were instantly fixed on the person whose examination was at present proceeding, in the idea that he might recognize some one of the conspirators of the former night. But though the features of this man were sufficiently marked and striking, he could not recollect that ever he had seen them before.

The complexion of this person was dark, and his age somewhat advanced. He wore his own hair, combed smooth down, and cut very short. It was jet black, slightly curled by nature, and already mottled with gray. The man's face ex-

pressed rather knavery than vice, more a disposition to sharpness, cunning, and roguery, than the traces of stormy and indulged passions. His sharp, quick black eyes acute features, ready sardonic smile, promptitude, and effrontery, gave him altogether what is called among the vulgar a *knowing* look, which generally implies a tendency to knavery. At a fair or market, you could not for a moment have doubted that he was a horse-jockey, intimate with all the tricks of his trade; yet had you met him on a moor, you would not have apprehended any violence from him. His dress was also that of a horse-dealer — a close buttoned jockey-coat, or wrap-rascal, as it was then termed, with huge metal buttons, coarse blue upper stockings, called boothose, because supplying the place of boots, and a slouched hat. He wanted a loaded whip under his arm and a spur upon one heel, to complete the dress of the character he seemed to represent.

“Your name is James Ratcliffe?” said the magistrate.

“Ay — always wi’ your honour’s leave.”

“That is to say, you could find me another name if I did not like that ane?”

“Twenty to pick and chuse upon always with your honour’s leave,” resumed the respondent.

“But James Ratcliffe is your present name? — what is your trade?”

“I canna just say, distinctly, that I have what ye wad ca’ preceesely a trade.”

“But,” repeated the magistrate, “what are your means of living — your occupation?”

“Hout tout — your honour, wi’ your leave, kens that as weel as I do,” replied the examined.

“No matter, I want to hear you describe it,” said the examinant.

“Me describe? — and to your honour? — far be it from Jemmie Ratcliffe,” responded the prisoner.

“Come, sir, no trifling — I insist on an answer.”

“Weel, sir,” replied the declarant, “I maun make a clean breast, for ye see, (wi’ your leave,) I am looking for favour — Describe my occupation, quo’ ye? — troth it will be ill to do that, in a feasible way, in a place like this — but what is’t again that the aught command says?”

“Thou shalt not steal,” answered the magistrate.

“Are ye sure o’ that? — Troth, then, my occupation, and that command, are sair at odds, for I read it, thou *shalt* steal, and that makes an unco difference, though there’s but a wee bit word left out.”

«To cut the matter short, Ratcliffe, you have been a most notorious thief,” said the examinant.

«I believe Highlands and Lowlands ken that sir, forbye England and Holland,” replied Ratcliffe, with the greatest composure and effrontery.

«And what dy’e think the end o’ your calling will be?” said the magistrate.

«I could have gi’en a brave guess yesterday — but I dinna ken sae weel the day,” answered the prisoner.

«And what would you have said would have been your end, had you been asked the question yesterday?”

«Just the gallows,” replied Ratcliffe, with the same composure.

«You are a daring rascal, sir,” said the magistrate; «and how dare you hope times are mended with you to-day?”

«Dear, your honour,” answered Ratcliffe, «there’s muckle difference between lying in prison under sentence of death, and staying there of ane’s ain proper accord, when it would have cost a man naething to get up and rin awa — what was to hinder me from stepping out quietly, when the rabble walked awa’ wi’ Jock Porteous yestreen?” — and does your honour really think I staid on purpose to be hanged?”

“I do not know what you may have proposed to yourself; but I know,” said the magistrate, “what the law proposes for you, and that is to hang you next Wednesday eight days.”

“Na, na, your honour,” said Ratcliffe firmly, “craving your honour’s pardon. I’ll ne’er believe that till I see it. I have kenn’d the Law this mony a year, and mony a thrawart job I hae had wi’ her first and last; but the auld jaud is no sae ill as that comes to — I ay fand her bark waur than her bite.”

“And if you do not expect the gallows, to which you are condemned, (for the fourth time to my knowledge,) may I beg the favour to know,” said the magistrate, “what it is that you *do* expect in consideration of your not having taken your flight with the rest of the jail-birds, which I will admit was a line of conduct little to have been expected?”

“I would never have thought for a moment of staying in that auld gousty toom house,” answered Ratcliffe, “but that use and wont had just gi’en me a fancy to the place, and I’m just expecting a bit post in’t.”

“A post!” exclaimed the magistrate; “a whipping-post, I suppose, you mean?”

“Na, na, sir, I had nae thoughts o’ a whup-pin-post. After having been for times doomed

to hang by the neck till I was dead, I think I am far beyond being whuppit."

"Then, in Heaven's name, what *did* you expect?"

"Just the post of under-turnkey, for I understand there's a vacancy," said the prisoner; "I wadna think of asking the lockman's* place ower his head; it wadna suit me sae weel as ither folk, for I never could put a beast out o' the way, much less deal wi' a man."

"That's something in your favour," said the magistrate, making exactly the inference to which Ratcliffe was desirous to lead him, though he mantled his art with an affectation of oddity. "But," continued the magistrate, "how do you think you can be trusted with a charge in the

* *Hangman*, so called from the small quantity of meal (Scottice, *lock*) which he was entitled to take out of every boll exposed to market in the city. In Edinburgh the duty has been very long commuted; but in Dumfries the finisher of the law still exercises, or did lately exercise, his privilege, the quantity taken being regulated by a small iron ladle, which he uses as the measure of his perquisite. The expression *lock* for a small quantity of any readily divisible dry substance, as corn, meal, flax, or the like, is still preserved, not only popularly, but in a legal description as the *lock* and *gowpen*, or small quantity and handful, payable in thirlage cases, as in town multure.

prison, when you have broken at your own hand half the jails in Scotland?"

"Wi' your honour's leave," said Radcliffe, "if I kenn'd sae weel how to wun out mysel, it's like I wad be a' the better a hand to keep other folks in. I think they wad ken their business weel that held me in when I wanted to be out, or wan out when I wanted to haud them in."

The remark seemed to strike the magistrate, but he made no further immediate remark, only desired Ratcliffe to be removed.

When this daring, and yet sly free-booter was out of hearing, the magistrate asked the city-clerk, "what he thought of the fellow's assurance?"

"It's no for me to say, sir," replied the clerk; "but if James Ratcliffe be inclined, to turn to good, there is not a man e'er came within the ports of the burgh could be of sae muckle use to the good town in the thief and lock-up line of business. I'll speak to Mr Sharpitlaw about him."

Upon Ratcliffe's retreat, Butler was placed at the table for examination. The magistrate conducted his enquiry civilly, but yet in a manner which gave him to understand that he laboured under strong suspicion. With a frankness which at once became his calling and character, But-

ler avowed his involuntary presence at the murder of Porteous, and, at the request of the magistrate, entered into a minute detail of the circumstances which attended that unhappy affair. All the particulars, such as we have narrated, were taken minutely down by the clerk from Butler's dictation.

When the narrative was concluded the cross examination commenced, which it is a painful task even for the most candid witness to undergo, since a story, especially if connected with agitating and alarming incidents, can scarce be so clearly and distinctly told, but that some ambiguity and doubt may be thrown upon it by a string of successive and minute interrogatories.

The magistrate commenced, by observing, that Butler had said his object was to return to the village of Libberton, but that he was interrupted by the mob at the West-Port. "Is the West-Port your usual way of leaving town when you go to Libberton?" said the magistrate with a sneer.

"No, certainly," answered Butler, with the haste of a man anxious to vindicate the accuracy of his evidence; "but I chanced to be nearer that port than any other, and the hour of shutting the gates was on the point of striking."

"That was unlucky," said the magistrate drily. "Pray, being, as you say, under coercion and

fear of the lawless multitude, and compelled to accompany them through scenes disagreeable to all men of humanity, and more especially irreconcilable to the profession of a minister, did you not attempt to struggle, resist, or escape from their violence?"

Butler replied, "that their numbers prevented him from attempting resistance, and their vigilance from effecting his escape."

"That was unlucky," again repeated the magistrate, in the same dry inacquiescent tone of voice and manner. He proceeded with decency and politeness, but with a stiffness which argued his continued suspicion, to ask many questions concerning the behaviour of the mob, the manners and dress of the ringleaders; and when he conceived that the caution of Butler, if he was deceiving him, must be lulled asleep, the magistrate suddenly and artfully returned to former parts of his declaration, and required a new recapitulation of the circumstances, to the minutest and most trivial point which attended each part of the melancholy scene. No confusion or contradiction, however, occurred, that could countenance the suspicion which he seemed to have adopted against Butler. At length the train of his interrogatories reached Madge Wildfire, at whose name the magistrate and town-clerk exchanged significant glances. If the fate of the

Good Town had depended on her careful magistrate's knowing the features and dress of this personage, his enquiries could not have been more particular. But Butler could say almost nothing of this person's features, which were disguised apparently with red paint and soot, like an Indian going to battle, besides the projecting shade of a curch or coif, which muffled the hair of the supposed female. He declared that he thought he could not know this Madge Wildfire, if placed before him in a different dress, but that he believed he might recognize her voice.

The magistrate requested him again to state by what gate he left the city.

"By the Cowgate-Port," replied Butler.

"Was that the nearest road to Libberton?"

"No," answered Butler, with embarrassment; "but it was the nearest way to extricate myself from the mob."

The clerk and magistrate again exchanged glances.

"Is the Cowgate-Port a nearer way to Libberton from the Grassmarket than Bristo-Port?"

"No," replied Butler; "but I had to visit a friend."

"Indeed?" said the interrogator — "You were in a hurry to tell the sight you had witnessed, I suppose?"

«Indeed I was not,” replied Butler; «nor did I speak on the subject the whole time I was at Saint Leonard’s Crag.”

«Which road did you take to Saint Leonard’s Crag?”

«By the foot of Salisbury Crag,” was the reply.

«Indeed? — you seem partial to circuitous routes,” again said the magistrate. «Whom did you see after you left the city?”

One by one he obtained a description of every one of the groups who had passed Butler, as already noticed, their number, demeanour, and appearance; and, at length, came to the circumstance of the mysterious stranger in the King’s Park. On this subject Butler would fain have remained silent. But the magistrate had no sooner got a slight hint concerning the incident, than he seemed bent to possess himself of the most minute particulars.

«Look ye, Mr Butler,” said he, «you are a young man, and bear an excellent character; so much I will myself testify in your favour. But we are aware there has been, at times, a sort of bastard and fiery zeal in some of your order, and those, men irreproachable in other points, which has led them into doing and countenancing great irregularities, by which the peace of the country

is liable to be shaken. — I will deal plainly with you. I am not at all satisfied with this story, of your setting out again and again to seek your dwelling by two several roads, which were both circuitous. And, to be frank, no one whom we have examined on this unhappy affair could trace in your appearance any thing like your acting under compulsion. Moreover, the waiters at the Cowgate-Port observed something like the trepidation of guilt in your conduct, and declare that you were the first to command them to open the gate, in a tone of authority, as if still presiding over the guards and outposts of of the rabble, who had besieged them the whole night.”

“God forgive them!” said Butler; “I only asked free passage for myself; they must have much misunderstood, if they did not wilfully misrepresent me.”

“Well, Mr Butler,” resumed the magistrate, “I am inclined to judge the best and hope the best, as I am sure I wish the best; but you must be frank with me, if you wish to secure my good opinion, and lessen the risk of inconvenience to yourself. You have allowed you saw another individual in your passage through the King’s Park to Saint Leonard’s Crag — I must know every word which passed betwixt you.”

Thus closely pressed, Butler, who had no reason for concealing what passed at that meeting, unless because Jeanie Deans was concerned in it, thought it best to tell the whole truth from beginning to end.

“Do you suppose,” said the magistrate, pausing, “that the young woman will accept an invitation so mysterious?”

“I fear she will,” replied Butler.

“Why do you use the word *fear* it?” said the magistrate.

“Because I am apprehensive for her safety, in meeting, at such a time and place, one who had something of the manner of a desperado, and whose message was of a character so inexplicable.”

“Her safety shall be cared for,” said the magistrate. “Mr Butler, I am concerned I cannot immediately discharge you from confinement, but I hope you will not be long detained — Remove Mr Butler, and let him be provided with decent accommodation in all respects.”

He was conducted back to the prison accordingly, but, in the food offered to him, as well as in the apartment in which he was lodged, the recommendation of the magistrate was strictly attended to.

CHAPTER XIV.

*Dark and eerie was the night
And lonely was the way,
As Janet, wi' her green mantell,
To Miles' Cross she did gae.*

Old Ballad.

LEAVING Butler to all the uncomfortable thoughts attached to his new situation, among which the most predominant was his feeling that he was, by his confinement, deprived of all possibility of assisting the family at Saint Leonard's in their greatest need, we return to Jeanie Deans, who had seen him depart, without an opportunity of further explanation, in all that agony of mind with which the female heart bids adieu to the

complicated sensations so well described by Coleridge, —

Hopes, and fears that kindle hope,
An undistinguishable throng;
And gentle wishes long subdued —
Subdued and cherish'd long,

It is not the firmest heart (and Jeanie, under her russet rokelay, had one that would not have disgraced Cato's daughter) that can most easily bid adieu to these soft and mingled emotions. She wept for a few minutes bitterly, and without attempting to refrain from this indulgence of passion. But a moment's recollection induced her to check herself for a grief selfish and proper to her own affections, while her father and sister were plunged into such deep and irretrievable affliction. She drew from her pocket the letter which had been that morning flung into her apartment through an open window, and the contents of which were as singular as the expression was violent and energetic. "If she would save a human being from the most damning guilt, and all its desperate consequences, — if she desired the life and honour of her sister to be saved from the bloody fangs of an unjust law, — if she desired not to forfeit peace of mind here, and happiness hereafter," such

was the frantic style of the conjuration, "she was entreated to give a sure, secret, and solitary meeting to the writer. She alone could rescue him," so ran the letter, "and he only could rescue her." He was in such circumstances, the billet farther informed her, that an attempt to bring any witness of their conference, or even to mention to her father, or any other person whatsoever, the letter which requested it, would inevitably prevent its taking place, and insure the destruction of her sister. The letter concluded with incoherent but violent protestations, that in obeying this summons she had nothing to fear personally.

The message delivered to her by Butler from the stranger in the Park tallied exactly with the contents of the letter, but assigned a later hour and a different place of meeting. Apparently the writer of the letter had been compelled to let Butler so far into his confidence, for the sake of announcing this change to Jeanie. She was more than once on the point of producing the billet, in vindication of herself from her lover's half-hinted suspicions. But there is something in stooping to justification which the pride of innocence does not at all times willingly submit to, besides that the threats contained in the letter, in case of her betraying the secret, hung heavy on her heart. It is probable, however,

that had they remained longer together, she might have taken the resolution to submit the whole matter to Butler, and be guided by him as to the line of conduct which she should adopt. And when, by the sudden interruption of their conference, she lost the opportunity of doing so, she felt as if she had been unjust to a friend, whose advice might have been highly useful, and whose attachment deserved her full and unreserved confidence.

To have recourse to her father upon this occasion, she considered as highly imprudent. There was no possibility of conjecturing in what light the matter might strike old David, whose manner of acting and thinking in extraordinary circumstances depended upon feelings and principles peculiar to himself, and the operation of which could not be calculated upon even by those best acquainted with him. To have requested some female friend to have accompanied her to the place of rendezvous, would perhaps have been the most eligible expedient; but the threats of the writer, that betraying his secret would prevent their meeting (on which her sister's safety was said to depend) from taking place at all, would have deterred her from making such a confidence, even had she known a person in whom she thought it could with safety have been reposed. But she knew none

such. Their acquaintance with the cottagers in the vicinity had been very slight, and limited to little trifling acts of good neighbourhood. Jeanie knew little of them, and what she knew did not greatly incline her to trust any of them. They were of the order of loquacious good-humoured gossips usually found in their situation of life; and their conversation had at all times few charms for a young woman, to whom nature and the circumstance of a solitary life had given a depth of thought and force of character superior to the frivolous part of her sex, whether in high or low degree.

Left alone and separated from all earthly counsel, she had recourse to a friend and adviser, whose ear is open to the cry of the poorest and most afflicted of his people. She knelt, and prayed with fervent sincerity, that God would please to direct her what course to follow in her arduous and distressing situation. It was the belief of the time and sect to which she belonged that special answers to prayer, differing little in their character from divine inspiration, were, as they expressed it, "borne in upon their minds" in answer to their earnest petitions in a crisis of difficulty. Without entering into an abstruse point of divinity, one thing is plain; namely, that the person who lays open his doubts and distresses in prayer,

with feeling and sincerity, must necessarily, in the act of doing so, purify his mind from the dross of worldly passions and interests, and bring it into that state, when the resolutions adopted are likely to be selected rather from a sense of duty, than from any inferior motive. Jeanie arose from her devotions, with her heart fortified to endure affliction, and encouraged to face difficulties.

“I will meet with this unhappy man,” she said to herself — “unhappy he must be, since I doubt he has been the cause of poor Effie’s misfortune — but I will meet him, be it for good or ill. My mind shall never cast up to me, that, for fear of what might be said or done to me, I left that undone that might even yet be the rescue of her.”

With a mind greatly composed since the adoption of this resolution, she went to attend her father. The old man, firm in the principles of his youth, did not, in outward appearance at least, permit a thought of his family distress to interfere with the stoical reserve of his countenance and manners. He even chid his daughter for having neglected, in the distress of this morning, some trifling domestic duties which fell under her department.

“Why, what meaneth this, Jeanie?” said the old man — “The brown four year-auld’s milk

is not sailed yet, nor the bowies put up on the bink. If ye neglect your warldly duties in the day of affliction, what confidence have I that ye mind the greater matters that concern salvation? God knows, our bowies, and our pipkins, and our draps o' milk, and our bits o' bread, are nearer and dearer to us than the bread of life."

Jeanie, not unpleased to hear her father's thoughts thus expand themselves beyond the sphere of his immediate distress, obeyed him, and proceeded to put her household matters in order; while old David moved from place to place about his ordinary employments, scarce shewing, unless by a nervous impatience at remaining long stationary, an occasional convulsive sigh, or twinkle of the eye-lid, that he was labouring under the yoke of such bitter affliction.

The hour of noon came on, and the father and child sat down to their homely repast. In his petition for a blessing on the meal, the poor old man added to his supplication, a prayer that the bread eaten in bitterness, and the waters of Merah, might be made as nourishing as those which had been poured forth from a full cup and a plentiful basket and store; and having concluded his benediction, and resumed

the bonnet which he had laid «reverently aside,” he proceeded to exhort his daughter to eat, not by example indeed, but at least by precept.

«The man after God’s own heart,” he said, «washed and anointed himself, and did eat bread, in order to express his submission under a dispensation of suffering, and it did not become a Christian man or woman so to cling to creature-comforts of wife or bairns,” — (here the words became too great, as it were, for his utterance) — «as to forget the first duty — submission to the Divine will.”

To add force to his precept, he took a morsel on his plate, but nature proved too strong even for the powerful feelings with which he endeavoured to bridle it. Ashamed of his weakness, he started up, and ran out of the house, with haste very unlike the deliberation of his usual movements. In less than five minutes he returned, having successfully struggled to recover his usual composure of mind and countenance, and affected to colour over his late retreat, by muttering that he thought he heard the «young staig loose in the byre.”

He did not again trust himself with the subject of his former conversation, and his daughter was glad to see that he seemed to avoid fur-

ther discourse on that agitating topic. The hours glided on, as on they must and do pass, whether winged with joy or laden with affliction. The sun set beyond the dusky eminence of the Castle, and the screen of western hills, and the close of evening summoned David Deans and his daughter to the family duty of the evening. It came bitterly upon Jeanie's recollection, how often, when the hour of worship approached, she used to watch the lengthening shadows, and look out from the door of the house, to see if she could spy her sister's return homeward. Alas! this idle and thoughtless waste of time, to what evils had it not finally led? and was she altogether guiltless, who, noticing Effie's turn to idle and light society, had not called in her father's authority to restrain her? — But I acted for the best, she again reflected, and who could have expected such a flood of evil, from one grain of human leaven, in a disposition so kind, and candid, and generous?

As they sate down to the "exercise," as it is called, a chair happened accidentally to stand in the place which Effie usually occupied. David Deans saw his daughter's eyes swim in tears as they were directed towards this object, and pushed it aside, with a gesture of some impatience, as if desirous to destroy every memorial of

earthly interest when about to address the Deity. The portion of Scripture was read, the psalm was sung, the prayer was made; and it was remarkable that, in discharging these duties, the old man avoided all passages and expressions, of which Scripture affords so many, that might be considered as applicable to his own domestic misfortunes. In doing so it was perhaps his intention to spare the feelings of his daughter, as well as to maintain, in outward show at least, that stoical appearance of patient endurance of all the evil which earth could bring, which was, in his opinion, essential to the character of one who rated all earthly things at their own just estimate of nothingness. When he had finished the duty of the evening, he came up to his daughter, wished her good-night, and, having done so, continued to hold her by the hands for half a minute; then drawing her towards him, kissed her forehead, and ejaculated, "The God of Israel bless you, even with the blessings of the promise, my dear bairn!"

It was not either in the nature or habits of David Deans to seem a fond father; nor was he often known to experience, or at least to evince, that fulness of the heart which seeks to expand itself in tender expressions or caresses even to those who were dearest to him. On the

contrary, he used to censure this as a degree of weakness in several of his neighbours, and particularly in poor widow Butler. It followed, however, from the rarity of such emotions in this self-denied and reserved man, that his children attached to occasional marks of his affection and approbation a degree of high interest and solemnity; well considering them as evidences of feelings which were only expressed when they became too intense for suppression or concealment.

With deep emotion, therefore, did he bestow, and his daughter receive, this benediction and paternal caress. "And you, my dear father," exclaimed Jeanie, when the door had closed upon the venerable old man, "may you have purchased and promised blessings multiplied upon you — upon *you*, who walk in this world as though you were not of the world, and hold all that it can give or take away but as the *midges* that the sun-blink brings out, and the evening wind sweeps away!"

She now made preparation for her nightwalk. Her father slept in another part of the dwelling, and, regular in all his habits, seldom or never left his apartment when he had betaken himself to it for the evening. It was therefore easy for her to leave the house unobserved, so soon as the time approached at which she was to keep

her appointment. But the step she was about to take had difficulties and terrors in her own eyes, though she had no reason to apprehend her father's interference. Her life had been spent in the quiet, uniform, and regular seclusion of their peaceful and monotonous household. The very hour which some damsels of the present day, as well of her own as of higher degree, would consider as the natural period of commencing an evening of pleasure, brought, in her opinion, awe and solemnity in it; and the resolution she had taken had a strange, daring, and adventurous character, to which she could hardly reconcile herself when the moment approached for putting it into execution. Her hands trembled as she snooded her fair hair beneath the ribband, then the only ornament or cover which young unmarried women wore on their head, and as she adjusted the scarlet tartan screen or muffler made of plaid, which the Scottish women wore, much in the fashion of the black silk veils still a part of female dress in the Netherlands. A sense of impropriety as well as of danger pressed upon her as she lifted the latch of her paternal mansion to leave it on so wild an expedition, and at so late an hour, unprotected, and without the knowledge of her natural guardian.

When she found herself abroad and in the

open fields, additional subjects of apprehension crowded upon her. The dim cliffs and scattered rocks, interspersed with green sward, through which she had to pass to the place of appointment, as they glimmered before her in a clear autumn night, recalled to her memory many a deed of violence, which, according to tradition, had been done and suffered among them. In earlier days they had been the haunt of robbers and assassins, the memory of whose crimes are preserved in the various edicts which the council of the city, and even the parliament of Scotland, had passed for dispersing their bands, and insuring safety to the lieges, so near the precincts of the city. The names of these criminals, and of their atrocities, were still remembered in traditions of the scattered cottages and the neighbouring suburb. In latter times, as we have already noticed, the sequestered and broken character of the ground rendered it a fit theatre for duels and rencontres among the fiery youth of the period. Two or three of these incidents, all sanguinary, and one of them fatal in its termination, had happened since Deans came to live at Saint Leonard's. His daughter's recollections, therefore, were of blood and horror as she pursued the small scarce-tracked solitary path, every step of which conveyed her to a greater distance from help, and deeper into

the ominous seclusion of these unhallowed precincts.

As the moon began to peer forth on the scene with a doubtful, flitting, and solemn light, Jeanie's apprehensions took another turn, too peculiar to her rank and country to remain unnoticed. But to trace its origin will require another chapter.



CHAPTER XV.

*The spirit I have seen
May be the devil. And the devil has power
To assume a pleasing shape.*

Hamlet.

WITCHCRAFT and dæmonology, as we have had already occasion to remark, were at this period believed in by almost all ranks, but more especially among the stricter classes of presbyterians, whose government, when at the head of the state, had been much sullied by their eagerness to enquire into, and persecute these imaginary crimes. Now, in this point of view also, Saint Leonard's Crag and the adjacent Chase were a dreaded and ill-reputed district. Not only had witches held their meetings there, but even of very late years the enthusiast, or impostor, mentioned in Baxter's *World of Spirits*, had, among the recesses of these romantic cliffs, found his

way into the hidden retreats where the fairies revel in the bowels of the earth.

With all these legends Jeanie Deans was too well acquainted, to escape that strong impression which they usually make on the imagination. Indeed, relations of this ghostly kind had been familiar to her from her infancy, for they were the only relief which her father's conversation afforded from controversial argument, or the gloomy history of the strivings and testimonies, escapes, captures, tortures, and executions of those martyrs of the covenant, with whom it was his chiefest boast to say he had been acquainted. In the recesses of mountains, in caverns, and in morasses, to which these persecuted enthusiasts were so ruthlessly persued, they conceived they had often to contend with the visible assaults of the Enemy of Mankind, as in the cities, and in the cultivated fields, they were exposed to those of the tyrannical government and their soldiery. Such were the terrors which made one of their gifted seers exclaim, when his companion returned to him after having left him alone in a haunted cavern in Sorn in Galloway, «It is hard living in this world — incarnate devils above the earth, and devils under the earth, Satan has been here since ye went away, but I have dismissed him by resistance; we will be no more troubled with him this night.»

David Deans believed this, and many other such ghostly encounters and victories, on the faith of the Ansars, or auxiliaries of the banished prophets. This event was beyond David's remembrance. But he used to tell with great awe, yet not without a feeling of proud superiority to his auditors, how he himself had been present at a field-meeting at Crochmade, when the duty of the day was interrupted by the apparition of a tall black man, who, in the act of crossing a ford to join the congregation, lost ground, and was carried down apparently by the force of the stream. All were instantly at work to assist him, but with so little success, that ten or twelve stout men, who had hold of the rope which they had cast in to his aid, were rather in danger to be dragged into the stream, and lose their own lives, than likely to save that of the supposed perishing man. "But famous John Semple of Carsphairn," David Deans used to say with exaltation, "saw the whaup in the rape, — , Quit the rope," he cried to us, (for I that was but a callant had a haud o' the rape mysell:) ,it is the Great Enemy; he will burn, but not drown; his design is to disturb the good wark, by raising wonder and confusion in your minds; to put off from our spirits all that ye hae heard and felt. — Sae we let go the rape," said David, "and he went adown the water screeching and buller-

ing like a Bull of Bashan, as he is ca'd in Scripture."

Trained in these and similar legends, it was no wonder that Jeanie began to feel an ill-defined apprehension, not merely of the phantoms which might beset her way, but of the quality, nature, and purpose of the being who had thus appointed her a meeting, at a place and hour of horror, and at a time when her mind must be necessarily full of those tempting and ensnaring thoughts of grief and despair, which were supposed to lay sufferers particularly open to the temptations of the Evil One. If such an idea had crossed even Butler's well-informed mind, it was calculated to make a much stronger impression upon her's. Yet firmly believing the possibility of an encounter so terrible to flesh and blood, Jeanie, with a degree of resolution of which we cannot sufficiently estimate the merit, because the incredulity of the age has rendered us strangers to the nature and extent of her feelings, persevered in her determination not to omit an opportunity of doing something towards saving her sister, although, in the attempt to avail herself of it, she might be exposed to dangers so dreadful to her imagination. So, like Christiana in the Pilgrim's Progress, when traversing with a timid yet resolved step the terrors of the Valley of the Shadow of Death, she glided on by rock

and stone, "now in glimmer and now in gloom," as her path lay through moonlight or shadow, and endeavoured to overpower the suggestions of fear, sometimes by fixing her mind upon the distressed condition of her sister, and the duty she lay under to afford her aid, should that be in her power; and more frequently by recurring in mental prayer to the protection of that Being to whom night is as noon-day.

Thus drowning at one time her fears by fixing her mind on a subject of overpowering interest, and arguing them down at others by referring herself to the protection of the Deity, she at length approached the place assigned for this mysterious conference.

It was situated in the depth of the valley behind Salisbury Crags, which has for a background the north-western shoulder of the mountain called Arthur's Seat, on whose descent still remain the ruins of what was once a chapel, or hermitage, dedicated to Saint Anthony the Eremite. A better site for such a building could hardly have been selected; for the chapel, situated among the rude and pathless cliffs, lies in a desert, even in the immediate vicinity of a rich, populous, and tumultuous capital: and the hum of the capital might mingle with the orisons of the recluses, conveying as little of worldly interest as if it had been the roar of the distant

ocean. Beneath the steep ascent on which these ruins are still visible, was, and perhaps is still pointed out, the place where the wretch Nicol Muschat, who has been already mentioned in these pages, had closed a long scene of cruelty towards his unfortunate wife, by murdering her, with circumstances of uncommon barbarity. The execration in which the man's crime was held extended itself to the place where it was perpetrated, which was marked by a small *cairn*, or heap of stones, composed of those which each chance passenger had thrown there in testimony of abhorrence, and on the principle, it would seem, of the ancient British malediction, "May you have a cairn for your burialplace!"

As our heroine approached this ominous and unhallowed spot, she paused and looked to the moon, now rising broad on the north-west, and shedding a more distinct light than it had afforded during her walk thither. Eyeing the planet for a moment, she then slowly and fearfully turned her head towards the cairn, from which it was at first averted. She was at first disappointed. Nothing was visible beside the little pile of stones, which shone grey in the moonlight. A multitude of confused suggestions rushed on her mind. Had her correspondent deceived her, and broken his appointment? — was he too tardy at the appointment he had

made? or had some strange turn of fate prevented him from appearing as he proposed? — or if he were an unearthly being, as her secret apprehensions suggested, was it his object merely to delude her with false hopes, and put her to unnecessary toil and terror, according to the nature, as she had heard, of those wandering dæmons? — or did he purpose to blast her with the sudden horrors of his presence when she had come close to the place of rendezvous? These anxious reflections did not prevent her approaching to the cairn with a pace that, though slow, was determined.

When she was within two yards of the heap of stones, a figure rose suddenly up from behind it, and Jeanie scarce forbore to scream aloud at what seemed the realization of the most frightful of her anticipations. She constrained herself to silence, however, and, making a dead pause, suffered the figure to open the conversation, which he did, by asking, in a voice which agitation rendered tremulous and hollow, “Are you the sister of that ill-fated young woman?”

“I am — I am the sister of Effie Deans!” exclaimed Jeanie. “And as ever you hope God will hear you at your need, tell me, if you can tell, what can be done to save her!”

“I do *not* hope God will hear me at my need,” was the singular answer. “I do not de-

serve — I do not expect he will." This desperate language he uttered in a tone calmer than that with which he had at first spoken, probably because the shock of first addressing her was what he felt most difficult to overcome. Jeanie remained mute with horror to hear language expressed so utterly foreign to all which she had ever been acquainted with, that it sounded in her ears rather like that of a fiend than of a human being. The stranger pursued his address to her without seeming to notice her surprise. "You see before you a wretch, predestined to evil here and hereafter."

"For the sake of Heaven, that hears and sees us," said Jeanie, "dinna speak in this desperate fashion! The gospel is sent to the chief of sinners — to the most miserable among the miserable."

"Then should I have my own share therein," said the stranger, "if you call it sinful to have been the destruction of the mother that bore me — of the friend that loved me — of the woman that trusted me — of the innocent child that was born to me. If to have done all this is to be a sinner, and to survive it is to be miserable then am I most guilty and most miserable indeed."

"Then you are the wicked cause of my sis-

ter's ruin?" said Jeanie, with a natural touch of indignation expressed in her tone of voice.

"Curse me for it, if you will," said the stranger; "I have well deserved it at your hand."

"It is fitter for me," said Jeanie, "to pray to God to forgive you."

"Do as you will, how you will, or what you will," he replied, with vehemence; "only promise to obey my directions, and save your sister's life."

"I must first know," said Jeanie, "the means you would have me use in her behalf."

"No! — you must first swear — solemnly swear, that you will employ them, when I make them known to you."

"Surely, it is needless to swear that I will do all that is lawful to a Christian, to save the life of my sister?"

"I will have no reservation!" thundered the stranger: "lawful or unlawful, Christian or heathen, you shall swear to do my hest, and act by my counsel, or — you little know whose wrath you provoke!"

"I will think on what you have said," said Jeanie, who began to get much alarmed at the frantic vehemence of his manner, and disputed in her own mind, whether she spoke to a ma-

niac, or an apostate spirit incarnate — «I will think on what you say, and let you ken to-morrow.»

«To-morrow?» exclaimed the man, with a laugh of scorn — and where will I be to-morrow? — or, where will you be to-night, unless you swear to walk by my counsel! — There was one accursed deed done at this spot before now; and there shall be another to match it, unless you yield up to my guidance body and soul.»

As he spoke, he offered a pistol at the unfortunate young woman. She neither fled nor fainted, but sunk on her knees, and asked him to spare her life.

«Is that all you have to say?»

«Do not dip your hands in the blood of a defenceless creature that has trusted to you,» said Jeanie, still on her knees.

«Is that all you can say for your life? — Have you no promise to give? — Will you destroy your sister, and compel me to shed more blood?»

«I can promise nothing,» said Jeanie, «which is unlawful for a Christian.»

He cocked the weapon, and held it towards her.

«May God forgive you!» she said, pressing her hands forcibly against her eyes.

«D——n!» muttered the man; and, turning

aside from her, he uncocked the pistol, and replaced it in his pocket — «I am a villain,» he said, steeped in guilt and wretchedness, but not wicked enough to do you any harm! I only wished to terrify you into my measures — She hears me not — she is gone! — Great God! what a wretch am I become!»

As he spoke, she recovered herself from an agony which partook of the bitterness of death; and, in a minute or two, through the strong exertion of her natural sense and courage, collected herself sufficiently to understand he intended her no personal injury.

«No!» he repeated; «I would not add to the murder of your sister, and of her child, that of any one belonging to her! — Mad, frantic, as I am, and unrestrained by either fear or mercy, given up to the possession of an evil being, and forsaken by all that is good, I would not hurt you, were the world offered me for a bribe! But, for the sake of all that is dear to you, swear you will follow my counsel. Take this weapon, shoot me through the head, and with your own hand revenge your sister's wrong, only follow the course — the only course, by which her life can be saved.»

«Alas! is she innocent or guilty?»

«She is guiltless — guiltless of every thing, but of having trusted a villain! — Yet had it not

been for those that were worse than I am — yes, worse than I am, though I am bad enough — this misery had not befallen.”

“And my sister’s child — does it live?” said Jeanie.

“No; it was murdered — the new-born infant was barbarously murdered,” he uttered in a low, yet stern and sustained voice; — “but,” he added hastily, “not by her knowledge or consent.”

“Then, why cannot the guilty be brought to justice, and the innocent freed?”

“Torment me not with questions which can serve no purpose,” he sternly replied — “The deed was done by those who are far enough from pursuit, and safe enough from discovery! — No one can save Effie but yourself.”

“Woes me! how is it in my power?” asked Jeanie, in despondency.

“Hearken to me! — You have sense — you can apprehend my meaning — I will trust you — Your sister is innocent of the crime charged against her” — —

“Thank God for that!” said Jeanie.

“Be still and hearken! — The person who assisted her in her illness murdered the child; but it was without the mother’s knowledge or consent — She is therefore guiltless, as guiltless as the unhappy innocent, that but gasped a few minutes in this unhappy world — the better was

its hap to be so soon at rest. She is innocent as that infant, and yet she must die — it is impossible to clear her of the law!”

“Cannot the wretches be discovered, and given up to punishment?” said Jeanie.

“Do you think you will persuade those who are hardened in guilt to die to save another? — Is that the reed you would lean to?”

“But you said there was a remedy,” again gasped out the terrified young woman.

“There is,” answered the stranger, “and it is in your own hands. The blow which the law aims cannot be broken by directly encountering it, but it may be turned aside. You saw your sister during the period preceding the birth of her child — what is so natural as that she should have mentioned her condition to you? The doing so would, as their cant goes, take the case from under the statute, for it removes the quality of concealment. I know their jargon, and have had sad cause to know it; and the quality of concealment is essential to this statutory offence. Nothing is so natural as that Effie should have mentioned her condition to you — think — reflect — I am positive that she did.”

“Woes me!” said Jeanie, “she never spoke to me on the subject, but grat sorely when I spoke to her about her altered looks, and the change on her spirits.”

“You asked her questions on the subject?” he said eagerly. “You *must* remember her answer was, a confession that she had been ruined by a villain — yes, lay a strong emphasis on that — a cruel false villain call it — any other name is unnecessary; and that she bore under her bosom the consequences of his guilt and her folly; and that he had assured her he would provide safely for her approaching illness. — Well he kept his word!” These last words he spoke as it were to himself, and with a violent gesture of self-accusation, and then calmly proceeded, “You will remember all this? — That is all that is necessary to be said.”

“But I cannot remember,” answered Jeanie, with simplicity, “that which Effie never told me.”

“Are you so dull — so very dull of apprehension,” he exclaimed, suddenly grasping her arm, and holding it firm in his hand. “I tell you,” (speaking between his teeth, and under his breath, but with great energy,) “you *must* remember that she told you all this, whether she ever said a syllable of it or no. You must repeat this tale, in which there is no falsehood, except in so far as it was not told to you, before these Justices — Justiciary — whatsoever they call their blood-thirsty court, and save your sister from being murdered, and them from becoming mur-

derers. Do not hesitate — I pledge life and salvation, that in saying what I have said, you will only speak the simple truth.”

“But,” replied Jeanie, whose judgment was too accurate not to see the sophistry of this argument, “I shall be man-sworn in the very thing in which my testimony is wanted, for it is the concealment for which poor Effie is blamed, and you would make me tell a falsehood anent it.”

“I see,” he said, “my first suspicions of you were right, and that you will let your sister, innocent, fair, and guiltless, except in trusting a villain, die the death of a murderess, rather than bestow the breath of your mouth and the sound of your voice to save her.”

“I wad ware the best blood in my body to keep her skaithless,” said Jeanie, weeping in bitter agony, “but I canna change right into wrang, or make that true which is false.”

“Foolish, hard-hearted girl,” said the stranger, “are you afraid of what they may do to you? I tell you, even the retainers of the law, who course life as greyhounds do hares, will rejoice at the escape of a creature so young — so beautiful; that they will not suspect your tale; that, if they did suspect it, they would consider you as deserving, not only of forgiveness, but of praise for your natural affection.”

“It is not man I fear,” said Jeanie, looking upward; “the God, whose name I must call on to witness the truth of what I say, he will know the falsehood.”

“And he will know the motive,” said the stranger, eagerly; “he will know that you are doing this — not for lucre of gain, but to save the life of the innocent, and prevent the commission of a worse crime than that which the law seeks to avenge.”

“He has given us a law,” said Jeanie, “for the lamp of our path; if we stray from it we err against knowledge — I may not do evil, even that good may come out of it. But you — you that ken all this to be true, which I must take on your word, — you that, if I understood what you said e’en now, promised her shelter and protection in her travail why do not *you* step forward, and bear real and soothfast evidence in her behalf, as ye may with a clear conscience?”

“To whom do you talk of a clear conscience, woman?” said he, with a sudden fierceness which renewed her terrors, — “to *me*? — I have not known one for many a year. Bear witness in her behalf? — a proper witness, that, even to speak these few words to a woman of so little consequence as yourself, must chuse such an hour and such a place as this. When you see owls and bats fly abroad, like larks, in the

sunshine, you may expect to see such as I am in the assemblies of men. — Hush — listen to that.”

A voice was heard to sing one of those wild and monotonous strains so common in Scotland, and to which the natives of that country chaunt their old ballads. The sound ceased — then came nearer, and was renewed; the stranger listened attentively, still holding Jeanie by the arm, (as she stood by him in motionless terror,) as if to prevent her interrupting the strain by speaking or stirring. When the sounds were renewed, the words were distinctly audible:

“When the gledd’s in the blue cloud,
The lavrock lies still;
When the hound’s in the green-wood,
The hind keeps the hill.”

The person who sung kept a strained and powerful voice at its very highest pitch, so that it could be heard at a very considerable distance. As the song ceased, they might hear a stifled sound, as of steps and whispers of persons approaching them. The song was again raised, but the tune was changed:

“O sleep ye sound, Sir James, she said,
When ye suld rise and ride?
There’s twenty men, wi’ bow and blade,
Are seeking where ye hide.”

"I dare stay no longer," said the stranger; "return home, or remain till they come up — you have nothing to fear — but do not tell you saw me — your sister's fate is in your hands." So saying, he turned from her, and with a swift, yet cautiously noiseless step, plunged into the darkness on the side most remote from the sounds which they heard approaching, and was soon lost to her sight. Jeanie remained by the cairn terrified beyond expression, and uncertain whether she ought to fly homeward with all the speed she could exert, or wait the approach of those who were advancing towards her. This uncertainty detained her so long, that she now distinctly saw two or three figures already so near to her, that a precipitate flight would have been equally fruitless and impolitic.

 CHAPTER XVI.

— — — *She speaks things in doubt,
That carry but half sense: her speech is nothing,
Yet the unshaped use of it doth move
The hearers to collection; they aim at it,
And botch the words up fit to their own thoughts.*

Hamlet.

LIKE the digressive poet Ariosto, I find myself under the necessity of connecting the branches of my story, by taking up the adventures of another of the characters, and bringing them down to the point at which we have left those of Jeanie Deans. It is not, perhaps, the most artificial way of telling a story, but it has the advantage of sparing the necessity of resuming what a knitter (if stockinglooms have left such a peron in the land) might call our "dropped stitches," a labour in which the author generally oils much, without getting credit for his pains.

“I could risk a sma’ wad,” said the clerk to the magistrate, “that this rascal Ratcliffe, if he was insured of his neck’s safety, could do more than ony ten of our police-people and constables, to help us to get out of this scrape of Porteous’s. He is weel acquaint wi’ a’ the smugglers, thieves, and banditti about Edinburgh; and, indeed, he may be called the father of a’ the misdoers in Scotland, for he has passed amang them for these twenty years by the name of Daddie Rat.”

“A bonny sort of a scoundrel,” replied the magistrate, “to expect a place under the city.”

“Begging your honour’s pardon,” said the city’s procurator-fiscal, upon whom the duties of superintendant of police devolved, “Mr Fair-scribe is perfectly in the right. It is just sic as Ratcliffe that the town needs in my department; an’ if sae be that he’s disposed to turn his knowledge to the city service, ye’ll no find a better man. — Ye’ll get nae saints to be searchers for uncustomed goods, or for thieves and sic like — and your decent sort of men, religious professors, and broken tradesmen, that are put into the like o’ sic trust, can do nae gude ava. They are feared for this, and they are scrupulous about that, and they are na free to tell a lie, though it may be for the benefit of the city; and they dinna like to be out at irregular hours, and in a dark cauld night, and they like a clout ower the

croun far waur; and sae between the fear o' God, and the fear o' man, and the fear o' getting a sair throat, or sair banes, there's a dozen o' our city-folk, baith waiters, and officers, and constables, that can find out naething, but a wee-bit skulduddery for the benefit of the Kirk-treasurer. Jock Porteous, that's stiff and stark, puir fallow, was worth a dozen o' them; for he never had ony fears, or scruples, or doubts, or conscience, about ony thing your honours bade him."

"He was a gude servant o' the town," said the Baillie, "though he was an ower free-living man. But if you really think this rascal Ratcliffe could do us any service in discovering these malefactors, I would insure him life, reward, and promotion. It's an awsome thing this mischance for the city, Mr Fairscrieve. It will be very ill tane wi' abune stairs. Queen Caroline, God bless her, is a woman — at least I judge sae, and it's nae treason to speak my mind sae far — and ye maybe ken as weel as I do, for ye hae a house-keeper, though ye are nae married man, than women are wilfu', and downa bide a slight. And it will sound ill in her ears, that sic a confused mistake suld come to pass, and naebody sae muckle as to be put into the Tolbooth about it."

"If ye thought that, sir," said the procurator-fiscal, "we could easily clap into the prison a

few blackguards upon suspicion. It will have a gude active look, and I hae aye plenty on my list, that wadna be a hair the waur of a week or twa's imprisonment; and if ye thought it no strictly just, ye could be just the easier wi' them the neist time they did ony thing to deserve it; they arena the sort to be lang o' geeing ye an opportunity to clear scores wi' them on that account."

"I doubt that will hardly do in this case, Mr Sharpitlaw," returned the town-clerk; "they'll run their letters, and be adrift again, before ye ken where ye are."

"I will speak to the Lord Provost," said the magistrate, "about Ratcliffe's business. Mr Sharpitlaw, you will go with me and receive instructions — something may be made too out of this story of Butler's and his unknown gentleman — I know no business any man has to swagger about in the Kings's Park, and call himself the devil, to the terror of honest folks, who dinna care to hear mair about the devil than is said from the pulpit on the Sabbath. I cannot think the preacher himsell wad be heading the mob, though the time has been, they hae been as forward in a bruilzie as their neighbours."

"But these times are lang bye," said Mr Sharpitlaw. "In my father's time, there was mair search for silenced ministers about the Bow-head

and the Covenant-close, and all the tents of Kedar, as they ca'd the dwellings o' the godly in those days, than there's now for thieves and vagabonds in the Laigh Calton and the back o' the Canongate. But that time's weel bye, an' it bide. And if the Baillie will get me directions and authority from the Provost, I'll speak wi' Daddie Rat mysell; for I'm thinking I'll make mair out o' him than ye'll do."

Mr Sharpitlaw, being necessarily a man of high trust, was accordingly empowered, in the course of the day, to make such arrangements, as might seem in the emergency most advantageous for the Good Town. He went to the jail accordingly, and saw Ratcliffe in private.

The relative positions of a police-officer and a professed thief bear a different complexion, according to circumstances. The most obvious simile of a hawk pouncing upon his prey is often least applicable. Sometimes the guardian of justice has the air of a cat watching a mouse, and, while he suspends his purpose of springing upon the pilferer, taking care so to calculate his motions that he shall not get beyond his power. Sometimes, more passive still, he uses the art of fascination ascribed to the rattle-snake, and contents himself with glaring on the victim, through all his devious flutterings; certain that his terror, confusion, and disorder of ideas, will bring him

into his jaws at last. The interview between Ratcliffe and Sharpitlaw had an aspect different from all these. They sate for five minutes silent, on opposite sides of a small table, and looked fixedly at each other, with a sharp, knowing, and alert cast of countenance, not unmingled with an inclination to laugh, and resembled, more than any thing else, two dogs, who, preparing for a game at romps, are seen to couch down, and remain in that posture for a little time, watching each other's movements, and waiting which shall begin the game.

“So, Mr Ratcliffe,” said the officer, conceiving it suited his dignity to speak first, “you give up business, I find?”

“Yes, sir,” replied Ratcliffe; “I shall be on that lay nae mair — and I think that will save your folk some trouble, Mr Sharpitlaw?”

“Which Jock Dalglish” (then finisher of the law in the Scottish metropolis) “wad save them as easily,” returned the procurator-fiscal.

“Ay; if I waited in the Tolbooth here to have him fit my cravat — but that’s an idle way o’ speaking, Mr Sharpitlaw.”

“Why, I suppose you know you are under sentence of death, Mr Ratcliffe?” replied Mr Sharpitlaw.

“Ay, so are we a’, as that worthy minister said in the Tolbooth Kirk the day Robertson

wan off; but naebody kens when it will be executed. Gude faith, he had better reason to say sae than he dreamed of, before the play was played out that morning."

"This Robertson," said Sharpitlaw, in a lower and something like a confidential tone, "dy'e ken, Rat — that is, can ye gie us ony inkling where he is to be heard tell o'?"

"Troth, Mr Sharpitlaw, I'll be frank wi' ye; Robertson is rather a cut abune me — a wild deevil he was, and mony a daft prank he played; but except the Collector's job that Wilson led him into, and some tuilzies about run goods wi' the gaugers and the waiters, he never did ony thing that came near our line o' business."

"Umph! that's singular, considering the company he kept."

"Fact, upon my honour and credit," said Ratcliffe, gravely. "He keepit out o' our little bits of affairs, and that's mair than Wilson did; I hae dune business wi' Wilson afore now. But the lad will come on in time; there's nae fear o' him; naebody will live the life he has led, but what he'll come to sooner or later."

"Who or what is he, Ratcliffe? you know, I suppose?" said Sharpitlaw.

"He's better born, I judge, than he cares to let on; he's been a soldier, and he has been a play-actor, and I watna what he has been or

hasna been, for as young as he is, sae that it had daffing and nonsense about it."

"Pretty pranks he has played in his time, I suppose?"

"Ye may say that," said Ratcliffe, with a sardonic smile; "and," (touching his nose,) "a deevil amang the lasses."

"Like enough," said Sharpitlaw. "Weel, Ratcliffe, I'll no stand niffering wi' ye; ye ken that way that favour's gotten in my office; ye maun be usefu'."

"Certainly, sir, to the best of my power — naething for naething — I ken the rule of the office," said the ex-depredator.

"Now the principal thing in hand e'en now," said the official person, "is this job of Porteous's an ye can gi'e us a lift — why, the inner turnkey's office to begin wi', and the captainship in time — ye understand my meaning?"

"Ay, troth do I, sir; a wink's as gude as a nod to a blind horse; but Jock Porteous's job — Lord help ye, I was under sentence the hole time. God! but I could na help laughing when I heard Jock skirling for mercy in the lads's hands! Mony a het skin ye hae gi'en me, neighbour, thought I, tak ye what's gaun; time about's fair play; ye'll ken now what hanging's gude for."

"Come, come, this is all nonsense, Rat. Ye

canna creep out at that hole, lad; you must speak to the point, you understand me, if you want favour; gif-gaf makes gude friends, ye ken."

"But how can I speak to the point, as your honour ca's it," said Ratcliffe, demurely, and with an air of great simplicity, "when ye ken I was under sentence, and in the strong-room a' the while the job was going on?"

"And how can we turn ye loose on the public again, Daddie Rat, unless ye do or say something to deserve it?"

"Well then, d—n it!" answered the criminal, "since it maun be sae, I saw Geordie Robertson amang the boys that brake the jail; I suppose that will do me some gude?"

"That's speaking to the purpose, indeed," said the office-bearer; "and now, Rat, where think ye we'll find him?"

"De'il haet o' me kens," said Ratcliffe; "he'll no likely gang back to ony o' his auld howffs; he'll be off the country by this time. He has gude friends some gate or other, for a' the life he's led; he's been weel educate."

"He'll grace the gallows the better," said Mr Sharpitlaw; "a desperate dog, to murther an officer of the city for doing his duty! Wha kens wha's turn it might be next? — But you saw him plainly?"

"As plainly as I see you."

“How was he dressed?” said Sharpitlaw.

“I couldna weel see; something of a woman’s bit mutch on his head; but ye never saw sic a ca’-throw. Ane couldna hae een to a’ thing.”

“But did he speak to no one?” said Sharpitlaw.

“They were a’ speaking and gabbling through other,” said Ratcliffe, who was obviously unwilling to carry his evidence farther than he could possibly help.

“This will not do, Ratcliffe,” said the procurator; “you must speak *out — out — out*,” tapping the table emphatically as he repeated that impressive monosyllable.

“It’s very hard, sir; and but for the under-turnkey’s place” —

“And the reversion of the captaincy — the captaincy of the Tolbooth, man — that is, in case of gude behaviour.”

“Ay, ay,” said Ratcliffe, “gude behaviour! — there’s the deevil. And then it’s waiting for dead folks shoon into the bargain.”

“But Robertson’s head will weigh something,” said Sharpitlaw; “something gay and heavy, Rat; the town maun show cause — that’s right and reason — and then ye’ll hae freedom to enjoy your gear honestly.”

“I dinna ken,” said Ratcliffe; “it’s a queer way of beginning the trade of honesty — but de’il

ma care. Weel, then, I heard and saw him speak to the wench Effie Deans, that's up there for child-murder."

"The de'il ye did? Rat, this is finding a mare's nest wi' a witness. — And the man that spoke to Butler in the Park, and that was to meet wi' Jeanie Deans at Muschat's Cairn — whew! lay that and that thegither. As sure as I live he's been the father of the lassie's wean."

"There hae been waur guesses than that, I'm thinking," observed Ratcliffe, turning his quid of tobacco in his cheek, and squirting out the juice. "I heard something a while syne about his drawing up wi' a bonny quean about the Pleasants, and that it was a' Wilson could do to keep him frae marrying her."

Here a city officer entered, and told Sharpitlaw that they had the woman in custody whom he had directed them to bring before him.

"It's little matter now," said he, "the thing is taking another turn; however, George, ye may bring her in."

The officer retired, and introduced, upon his return, a tall, strapping wench of eighteen or twenty, dressed fantastically, in a sort of blue riding-jacket, with tarnished lace, her hair clubbed like that of a man, a Highland bonnet, and a bunch of broken feathers, a riding-skirt (or petticoat) of scarlet camlet, embroidered with

tarnished flowers. Her features were coarse and masculine, yet at a little distance, by dint of very bright wild-looking black eyes, an aquiline nose, and a commanding profile, appeared rather handsome. She flourished the switch she held in her hand, dropped a curtsy as low as a lady at a birth-night introduction, recovered herself seemingly according to Touchstone's directions to Audrey, and opened the conversation without waiting till any questions were asked.

«God gi'e your honour gude e'en, and mony o' them, bonny Mr Sharpitlaw — Gude e'en to ye, Daddie Ratton — they tauld me ye were hanged, man; or did ye get out o' John Dalgliesh's hands like half-hangit Maggie Dickson?»

«Whisht, ye daft jaud," said Ratcliffe, «and hear what's said to ye.»

«Wi' a' my heart, Ratton. Great preferment for poor Madge to be brought up the street wi' a grand man, wi' a coat a' passemented wi' worsetlace, to speak wi' provosts, and baillies, and town-clerks, and prokitors, at this time o' day — and the hole town looking at me too — This is honour on earth for anes!»

«Ay, Madge," said Mr Sharpitlaw, in a coaxing tone; «and ye're dressed out in your braws, I see; these are not your every-days' claihs ye have on.»

“De’il be in my fingers, then,” said Madge — “Eh, sirs!” (observing Butler come into the apartment,) there’s a minister in the Tolbooth — wha will ca’ it a graceless place now? — I’s’e warrant he’s in for the gude auld cause — but its be nae cause o’ mine,” and off she went into a song.

“Hey for cavaliers, ho for cavaliers,
 Dub a dub, dub a dub;
 Have at old Beelzebub, —
 Oliver’s running for fear.” —

“Did you ever see that mad-woman before?” said Sharpitlaw to Butler.

“Not to my knowledge, sir,” replied Butler.

“I thought as much,” said the procurator-fiscal, looking towards Ratcliffe, who answered his glance with a nod of acquiescence and intelligence.

“But that is Madge Wildfire, as she calls herself,” said the man of law to Butler.

“Ay, that I am,” said Madge, “and that I have been ever since I was something better — Heigh ho” — (and something like melancholy dwelt on her features for a minute) — “But I canna mind when that was — it was lang syne, at ony rate, and I’ll ne’er fash my thumb about it. —

„I glance like the wildfire through country and
town;
I'm seen on the causeway — I'm seen on the
down;
The lightning that flashes so bright and so free,
Is scarcely so blithe or so bonny as me.”

„Haud your tongue, ye skirling limmer,” said the officer, who had acted as master of the ceremonies to this extraordinary performer, and who was rather scandalized at the freedom of her demeanour before a person of Mr Sharpitlaw's importance — „haud your tongue, or I'se gi'e ye something to skirl for.”

„Let her alone, George,” said Sharpitlaw; „dinna put her out o' tune; I hae some questions to ask her — But first, Mr Butler, take another look of her.”

„Do sae, minister — do sae,” cried Madge; „I am as weel worth looking at as ony book in your aught. — And I can say the single carritch, and the double carritch, and justification, and effectual calling, and the assembly of divines at Westminster, that is,” (she added in a low tone,) „I could say them anes — but it's lang syne — and ane forgets, ye ken.” And poor Madge heaved another deep sigh.

„Weel, sir,” said Mr Sharpitlaw to Butler, „what think ye now?”

„As I did before,” said Butler; „that I never saw the poor demented creature in my life before.”

„Then she is not the person whom you said the rioters last night described as Madge Wild-fire?”

„Certainly not,” said Butler. „They may be near the same height, for they are both tall, but I see little other resemblance.”

„Their dress, then, is not alike?” said Sharpitlaw.

„Not in the least,” said Butler.

„Madge, my bonny woman,” said Sharpitlaw, in the same coaxing manner, „what did ye do wi’ your ilka days claise yesterday?”

„I dinna mind,” said Madge.

„Where was ye yesterday at e’en, Madge?”

„I dinna mind ony thing about yesterday,” answered Madge; „ae day is aneugh for ony body to wun ower wi’ at a time, and ower muckle sometimes.”

„But maybe, Madge, ye wad mind something about it, if I was to gie ye this half-crown?”, said Sharpitlaw, taking out the piece of money.

„That might gar me laugh, but it couldna gar me mind.”

„But, Madge,” continued Sharpitlaw, „were I to send you to the wark-house in Leith Wynd,

and gar Jock Dalgliesh lay the tawse on your back" —

„That wad gar me greet," said Madge, sobbing, „but it couldna gar me mind, ye ken."

„She is ower far past reasonable folk's motives, sir," said Ratcliffe, „to mind siller, or John Dalgliesh, or the cat and nine tails either; but I think I could gar her tell us something."

„Try her then, Ratcliffe," said Sharpitlaw, „for I am tired of her crazy pate, and be d—d to her."

„Madge," said Ratcliffe, „hae ye ony joes now?"

„An ony body ask ye, say ye dinna ken. — Set him to be speaking of my joes, auld Daddie Ratton!"

„I dare say, ye hae de'il ane?"

„See if I haena then," said Madge, with the toss of the head of affronted beauty — „there's Rob the Ranter', and Will Fleming, and then there's Geordie Robertson, lad — that's Gentleman Geordie — what think ye o' that?"

Ratcliffe laughed, and, winking to the procurator-fiscal, pursued the enquiry in his own way. „But, Madge, the lads only like ye when ye hae on your brows — they wadna touch you

wi' a pair o' tangs when you are in your auld ilka day rags."

"Ye're a leeing auld sorrow then; for Gentle Geordie Robertson put my ilka day's claise on his ain bonny sell yestreen, and gaed a' through the town wi' them; and gawsie and grand he lookit, like ony queen in the land."

"I dinna believe a word o't," said Ratcliffe, with another wink to the procurator. "Thae duds were a' o' the colour o' moonshine in the water, I'm thinking, Madge — The gown wad be a sky-blue scarlet, I'se warrant ye?"

"It was nae sic thing," said Madge, whose unretentive memory let out, in the eagerness of contradiction, all that she would have most wished to keep concealed, had her judgment been equal to her inclination. "It was neither scarlet nor sky-blue, but my ain auld brown threshie-coat of a short gown, and my mother's auld mutch, and my red rokelay — and he gaed me a croun and a kiss for the use o' them, blessing un his bonny face — though it's been a dear ane to me."

"And where did he change his clothes again, hinnie?" said Sharpitlaw, in his most conciliatory manner.

"The procurator's spoiled a'," observed Ratcliffe, drily.

And it was even so; for the question, put in so direct a shape, immediately awakened Madge to the propriety of being reserved upon those very topics on which Ratcliffe had indirectly seduced her to become communicative.

„What was't ye were speering at us, sir?“ she resumed, with an appearance of solidity so speedily assumed, as shewed there was a good deal of knavery mixed with her folly.

„I asked you,“ said the procurator, „at what hour, and to what place, Robertson brought back your clothes.“

„Robertson? — Lord haud a care o' us, what Robertson?“

„Why, the fellow we were speaking of, Gentle Geordie, as you call him.“

„Geordie Gentle?“ answered Madge with wellfeigned amazement — „I dinna ken naebody they ca' Geordie Gentle.“

„Come, my jo,“ said Sharpitlaw, „this will not do; you must tell us what you did with these clothes of your's.“

Madge Wildfire made no answer, unless the question may seem connected with the snatch of a song with which she indulged the embarrassed investigator: —

„What did ye wi' the bridal ring — bridal ring — bridal ring?

What did ye wi' your wedding ring, ye little cutty quean, O?

I gied it till a sodger, a sodger, a sodger,
I gied it till a sodger, an auld true love o'
mine, O.”

Of all the mad-women who have sung and said, since the days of Hamlet the Dane, if Ophelia be the most affecting, Madge Wildfire was the most provoking.

The procurator-fiscal was in despair. „I'll take some measures with this d——d Bess of Bedlam,” said he, „that shall make her find her tongue.”

„Wi' your favour, sir,” said Ratcliffe, „better let her mind settle a little — Ye have aye made out something.”

„True,” said the official person; „a brown short-gown, mutch, red rokelay — that agrees with your Madge Wildfire, Mr Butler?” Butler agreed that it did so. „Yes, there was a sufficient motive for taking this crazy creature's dress and name, while he was about such a job.”

„And I am free to say *now*,” said Ratcliffe — —

„When you see it has come out without you,” interrupted Sharpitlaw.

„Just sae, sir,” reiterated Ratcliffe. „I am free to say, now since it's come out otherwise, that these were the clothes I saw Robertson wearing last night in the jail, when he was at the head of the rioters.”

„That's direct evidence,” said Sharpitlaw; „stick to that, Rat — I will report favourably of you to the provost, for I have business for you to-night. It wears late; I must home and get a snack, and I'll be back in the evening. Keep Madge with you, Ratcliffe, and try to get her into a good tune again.” So saying, he left the prison.

CHAPTER XVII.

*And some they whistled — and some they
sang,*

*And some did loudly say,
Whenever Lord Barnard's horn it blew,
„Away, Musgrave, away!“ —*

Ballad of Little Musgrave.

WHEN the man of office returned to the Heart of Mid-Lothian, he resumed his conference with Ratcliffe, of whose experience and assistance he now held himself secure. „You must speak with this wench, Rat — this Effie Deans — you must sift her a wee bit; for as sure as a tether she will ken Robertson's haunts — till her, Rat — till her, without delay.“

«Craving your pardon, Mr Sharpitlaw,” said the turnkey elect, «that’s what I am not free to do.”

«Free to do, man? what the de’il ails ye now? — I thought we had settled a’ that.”

«I dinna ken, sir,” said Ratcliffe; «I hae spoken to this Effie — she’s strange to this place and to its ways, and to a’ our ways, Mr Sharpitlaw; and she greets, the silly tawpie, and she’s breaking her heart already about this wild chield; and were she the means o’ taking him, she wad break it outright.”

«She wunna hae time, lad,” said Sharpitlaw; «the woodie will hae his ain o’ her before that — a woman’s heart takes a lang time o’ breaking.”

«That’s according to the stuff they are made o’, sir,” replied Ratcliffe — «But to make a lang tale short, I canna undertake the job. It gangs against my conscience.”

«Your conscience, Rat?” said Sharpitlaw, with a sneer, which the reader will probably think very natural upon the occasion.

«Ou ay, sir,” answered Ratcliffe calmly, «just my conscience; a’body has a conscience, though it may be ill wunnin at it. I think mine’s as weel out o’ the gate as maist folks’ are; and yet it’s just like the noop of my elbow, it whistles gets a bit dirl on a corner.”

“Weel, Rat,” replied Sharpitlaw, “since ye are nice, I’ll speak to the hussey mysell.

“Sharpitlaw, accordingly, caused himself to be introduced into the little dark apartment tenanted by the infortunate Effie Deans. The poor girl was seated on her little flock-bed, plunged in a deep reverie. Some food stood on the table, of a quality better than is usually supplied to prisoners, but it was untouched. The person under whose care she was more particularly placed said, “that sometimes she tasted naething from the tae end of the four-and-twenty hours to the t’other, except a drink of water.”

Sharpitlaw took a chair, and, commanding the turnkey to retire, he opened the conversation, endeavouring to throw into his tone and countenance as much commiseration as they were capable of expressing, for the one was sharp and harsh, the other sly, acute, and selfish.

“How’s a’ wi’ ye, Effie? — How d’ye find yoursell, hinny?”

A deep sigh was the only answer.

“Are the folk civil to ye, Effie? — it’s my duty to enquire.”

“Very civil, sir,” said Effie, compelling herself to answer, yet hardly knowing what she said.

“And your victuals,” continued Sharpitlaw, in the same condoling tone — “do you get what

you like? — or is there ony thing you would particularly fancy, as your health seems but silly?"

"It's a' very weel, sir, I thank ye," said the poor prisoner, in a tone how different from the sportive vivacity of those of the Lily of St Leonard's! — "it's a' very gude — ower gude for me."

"He must have been a great villain, Effie, who brought you to this pass," said Sharpitlaw.

The remark was dictated partly by a natural feeling, of which even he could not divest himself, though accustomed to practise on the passions of others, and keep a most heedful guard over his own, and partly by his wish to introduce the sort of conversation which might best serve his immediate purpose. Indeed, upon the present occasion, these mixed motives of feeling and cunning harmonized together wonderfully; for, said Sharpitlaw to himself, the greater rogue Robertson is, the more will be the merit of bringing him to justice. "He must have been a great villain, indeed," he again reiterated; "and I wish I had the skelping o' him."

"I may blame mysell mair than him," said Effie; "I was bred up to ken better, but he, poor fellow," — — (she stopped.)

"Was a thorough blackguard a' his life, I dare say," said Sharpitlaw. "A stranger he was in

this country, and a companion of that lawless vagabond, Wilson, I think, Effie."

It wad hae been dearly telling him that he had ne'er seen Wilson's face."

"That's very true that you are saying, Effie," said Sharpitlaw. "Where was't that Robertson and you were used to howff thegither? Somegate about the Laigh Calton, I am thinking."

The simple and dispirited girl had thus far followed Mr Sharpitlaw's lead, because he had artfully adjusted his observations to the thoughts he was pretty certain must be passing through her own mind, so that her answers became a kind of thinking aloud, a mood into which those who are either constitutionally absent in mind, or are rendered so by the temporary pressure of misfortune, may be easily led by a skilful train of suggestions. But the last observation of the procurator fiscal was too much of the nature of a direct interrogatory, and it broke the charm accordingly.

"What was it that I was saying?" said Effie, starting up from her reclining posture, seating herself upright, and hastily shading her dishevelled hair back from her wasted, but still beautiful countenance. She fixed her eyes boldly and keenly upon Sharpitlaw; — "You are too much of a gentleman, sir, — too much of an

honest man, to take any notice of what a poor creature like me says, that can hardly ca-my senses my ain — God help me!”

“Advantage! — I would be of some advantage to you if I could,” said Sharpitlaw, in a soothing tone; “and I ken naething sae likely to serve ye, Effie, as gripping this rascal, Robertson.”

“O dinna misca’ him, sir, that never misca’d you; — Robertson? — I am sure I had naething to say against ony man o’ the name, and naething will I say.”

“But if you do not heed your own misfortune, Effie, you should mind what distress he has brought on your family ”

“O, Heaven help me!” exclaimed poor Effie — “My poor father — my dear Jeanie — O, that’s sairest to bide of a’! O, sir, if you hae ony kindness — if ye hae ony touch of compassion — for a’ the folk I see here are as hard as the wa’-stanes — If ye wad but bid them let my sister Jeanie in the next time she ca’s! for when I hear them put her awa’ frae the door, and canna climb up to that high window to see sae muckle as her gown-tail; it’s like to pit me out o’ my judgment.” And she looked on him with a face of entreaty so earnest, yet so humble, that she fairly shook the steadfast purpose of his mind,

“You shall see your sister,” he began, “if you’ll tell me,” — then interrupting himself, he added, in a more hurried tone, — “no, d—n it, you shall see your sister whether you tell me any thing or no.” So saying, he rose up and left the apartment.

When he had rejoined Ratcliffe, he observed, “You are right, Ratton; there’s no making much of that lassie. But ae thing I have cleared — that is, that Robertsons has been the father of the bairn, and so I will wager a bod-dle it will be he that’s to meet wi’ Jeanie Deans this night at Muschat’s Cairn, and there we’ll nail him, Rat, or my name is not Gideon Sharpitlaw.”

“But,” said Ratcliffe, perhaps because he was in no hurry to see any thing which was like to be connected with the discovery and apprehension of Robertson, “an that were the case, Mr Butler wad hae kenn’d the man in the King’s Park to be the same person wi’ him in Madge Wildfire’s claise, that heated the mob.”

“That makes nae difference, man,” replied Sharpitlaw — “the dress, the light, the confusion, and maybe a touch o’ a blackit cork, or a slake o’ paint — hout, Ratton, I have seen ye dress your ainsell, that the deevil ye belang to durstna hae made oath t’ye.”

„And that's true, too," said Ratcliffe.

„And besides, ye donnard carle," continued Sharpitlaw triumphantly, „the minister *did* say, that he thought he knew something of the features of the birkie that spoke to him in the Park, though he could not charge his memory where or when he had seen them."

„It's evident, then, your honour will be right," said Ratcliffe.

„Then, Rat, you and I will go with the party ourselfs this night, and see him in grips or we are done wi' him."

„I seena muckle use I can be o' to your honour," said Ratcliffe, reluctantly.

„Use?" answered Sharpitlaw — „You can guide the party — you ken the ground. Besides, I do not intend to quit sight o' you, my good friend, till I have him in hand."

„Weel, sir," said Ratcliffe, but in no joyful tone of acquiescence; „Ye maun hae it your ain way — but mind he's a desperate man."

„We shall have that with us," answered Sharpitlaw, „that will settle him, if it is necessary."

„But, sir," answered Ratcliffe, „I am sure I couldna undertake to guide you to Muschat's Cairn in the night-time; I ken the place, as many does, in fair day-light, but how to find it

by moonshine, amang sae many crags and stanes, as like to each other as the collier to the de'il, is mair than I can tell. I might as soon seek moonshine in water."

"What's the meaning o' this, Ratcliffe?" said Sharpitlaw, while he fixed his eye on the recusant, with a fatal and ominous expression, — "Have you forgotten that you are still under sentence of death?"

"No, sir," said Ratcliffe, "that's a thing no easily put out o' memory; and if my presence be judged necessary, nae doubt I maun gang wi' your honour. But I was gaun to tell your honour of ane that has mair skeel o' the gate than me, and that's e'en Madge Wildfire."

"The devil she has! — Do you think me as mad as she is, to trust to her guidance on such an occasion?"

"Your honour is best judge," answered Ratcliffe; "but I ken I can keep her in tune, and gar her haud the straight path — she aften sleeps out or rambles about amang thae hills the hale simmer night, the daft limmer."

"Well, Ratcliffe," replied the procurator-fiscal, "if you think she can guide us the right way — but take heed to what you are about — your life depends on your behaviour."

"It's a sair judgment on a man," said Ratcliffe, "when he has ance gane sae far wrang as

I hae done, that de'il a bit he can be honest, try't whilk way he will."

Such was the reflection of Ratcliffe, when he was left for a few minutes to himself, while the retainer of justice went to procure a proper warrant, and give the necessary directions.

The rising moon saw the whole party free from the walls of the city, and entering upon the open ground. Arthur's Seat, like a couchant lion of immense size — Salisbury Crags, like a huge belt or girdle of granite, were dimly visible. Holding their path along the southern side of the Canongate, they gained the Abbey of Holyroodhouse, and from thence found their way by step and stile into the King's Park. They were at first four in number — an officer of justice and Sharpitlaw, who were well armed with pistols and cutlasses; Ratcliffe, who was not trusted with weapons, lest he might, peradventure, have used them on the wrong side; and the female. But at the last stile, when they entered the Chase, they were joined by other two officers, whom Sharpitlaw, desirous to secure sufficient force for his purpose, and at the same time to avoid observation, had directed to wait for him at this place. Ratcliffe saw this accession of strength with some disquietude, for he had hitherto thought it likely that Robertson, who was a bold, stout, and active young fellow,

might have made his escape from Sharpitlaw and the officer, by force or agility, without his being implicated in the matter. But the present strength of the followers of justice was overpowering, and the only mode of saving Robertson, (which the old sinner was well disposed to do, providing always he could accomplish his purpose without compromising his own safety,) must be by contriving that he should have some signal of their approach. It was probably with this view that Ratcliffe had requested the addition of Madge to the party, having considerable confidence in her propensity to exert her lungs. Indeed, she had already given them so many specimens of her clamorous loquacity, that Sharpitlaw half determined to send her back with one of the officers, rather than carry forward in his company a person so extremely ill qualified to be a guide in a secret expedition. It seemed, too, as if the open air, the approach to the hills, and the ascent of the moon, supposed to be so portentous over those whose brain is infirm, made her spirits rise in a degree tenfold more loquacious than she had hitherto exhibited. To silence her by fair means seemed impossible; authoritative commands and coaxing entreaties she set alike at defiance, and threats only made her sulky, and altogether intractable.

„Is there no one of you,” said Sharpitlaw, impatiently, „that knows the way to this accursed place — this Nicol Muschat’s Cairn — excepting this mad clavering idiot?”

„De’il ane o’ them kens it, except mysell,” exclaimed Madge; „how suld they, the poor fule cowards? But I hae sat on the grave frae bat-fleeing time till cock-crow, and had mony a fine crack wi’ Nicol Muschat and Ailie Muschat, that are lying sleeping below.”

„The devil take your crazy brain,” said Sharpitlaw; „will you not allow the men to answer a question?”

„The officers, obtaining a moment’s audience while Ratcliffe diverted Madge’s attention, declared that, though they had a general knowledge of the spot, they could not undertake to guide the party to it by the uncertain light of the moon, with such accuracy as to insure success to their expedition.

„What shall we do, Ratcliffe?” said Sharpitlaw; „if he sees us before we see him, — and that’s what he is certain to do, if we go strolling about, without keeping the straight road, — we may bid gude day to the job; and I wad rather lose one hundred pounds, baith for the credit of the police, and because the Provost says somebody maun be hanged for this job o’ Porteous, come o’t what likes.”

„I think,” said Ratcliffe, „we maun just try Madge; and I’ll see if I can get her keepit in ony better order. And at ony rate, if he suld hear her skirling her auld ends o’ sangs, he’s no to ken for that that there’s ony body wi’ her.”

„That’s true,” said Sharpitlaw; „and if he thinks her alone he’s as like to come towards her as to rin frae her. So set forward — we have lost ower muckle time already — see to get her to keep the right road.”

„And what sort o’ house does Nicol Muschat and his wife keep now;” said Ratcliffe to the mad-woman, by way of humouring her vein of folly; „they were but thrawn folk lang syne, an’ a’ tales be true.”

„Ou, ay, ay, ay — but a’s forgotten now,” replied Madge, in the confidential tone of a gossip giving the history of her next door neighbour — „Ye see I spoke to them mysell, and tauld them byganes suld be byganes — her throat’s sair misguggled and mashackered though; she wears her corpse-sheet drawn weel up to hide it, but that canna hinder the bluid seiping through, ye ken. I wussed her to wash it in St Anthony’s Well, and that will cleanse if ony thing can — But they say bluid never bleaches out o’ linen claith — Deacon Sanders’s new cleansing draps winna do’t — I tried them my-

sell on a bit rag we hae at hame that was mailed wi' the bluid of a bid skirling wean that was hurt some gate, but out it winna come — Weel ye'll say that's queer; but I will bring it out to St Anthony's blessed Well some braw night just like this, and I'll cry up Ailie Muschat, and she and I will hae a grand bouking-washing, and bleach our claise in the beams of the bonny Lady Moon, that's far pleasanter to me than the sun — the sun's ower het, and ken ye, cummers, my brains are het aneugh already. But the moon, and the dew, and the night-wind, they are just like a callar kail-blade laid on my brow; and whiles I think the moon just shines on purpose to pleasure me, when naebody sees her but mysell."

This raving discourse she continued with prodigious volubility, walking on at a great pace, and dragging Ratcliffe along with her, while he endeavoured, in appearance at least, if not in reality, to induce her to moderate her voice.

All at once, she stopped short upon the top of a little hillock, gazed upward fixedly and said not one word for the space of five minutes. "What the devil is the matter with her now?" said Sharpitlaw to Ratcliffe — "Can you not get her forward?"

"Ye maun just take a grain o' patience wi'

her, sir," said Ratcliffe. "She'll no gae a foot faster than she likes hersell."

"D — n her. I'll take care she has her time in Bedlam or Bridewell, or both, for she's both mad and mischievous." In the meanwhile, Madge, who had looked very pensive when she first stopped, suddenly burst into a vehement fit of laughter, then paused and sighed bitterly, — then was seized with a second fit of laughter, — then fixed her eyes on the moon, lifted up her voice and sung, —

"Good even, good fair moon, good even to thee;

I prithee, dear moon, now shew to me
The form and the features, the speech and degree,

Of the man that true lover of mine shall be."

"But I need not ask that of the bonny Lady Moon — I ken that weel aneugh mysell — *true-love* though he wasna — But naebody shall say that I ever tauld a word about the matter — But whiles I wish the bairn had lived — Weel, God guide us, there's a heaven aboon us a'," — (here she sighed bitterly,) "and a bonny moon, and sterns in it forbye," (and here she laughed once more.)

“Are we to stand here all night?” said Sharp-
itlaw, very impatiently. “Drag her forward.”

Ay, sir,” said Ratcliffe, “if we kenn’d whilk
way to drag her, that would settle it at ance.
— Come, Madge, hinny,” addressing her, “we’ll
no be in time to see Nicol and his wife, unless
ye show us the road.”

“In truth and that I will, Ratton,” said she,
seizing him by the arm, and resuming her route
with huge strides, considering it was a female
who took them. “And I’ll tell ye, Ratton, blithe
will Nicol Muschat be to see ye, for he says he
kens weel there isna sic a villain out o’ hell as ye
are, and he wad be ravished to hae a crack wi’
you — like to like, ye ken — it’s a proverb never
fails — and ye are baith a pair o’ the deevil’s
peat’s, I trow — hard to ken whilk deserves the
hettest corner o’ his ingle-side.”

Ratcliffe was conscience-struck, and could not
forbear making an involuntary protest against this
classification. “I never shed blood,” he replied.

“But ye hae sauld it, Ratton — ye hae sauld
blood mony a time. Folk kill wi’ the tongue as weel
as wi’ the hand — wi’ the word as weel as wi’ the
gulley, —

“It is the bonny butcher lad,
That wears the sleeves of blue,
He sells the flesh on Saturday,
On Friday that he slew.”

“And what is that I am doing now?” thought Ratcliffe. “But I’ll hae nae wyte of Robertson’s young bluid, if I can help it;” then speaking apart to Madge, he asked her, “Whether she did not remember ony o’ her auld sangs?”

“Mony a dainty ane,” said Madge; “and blithely can I sing them, for lightsome sangs make merry gate.” And she sang, —

“When the gledd’s in the blue cloud,
The lavrock lies still;
When the hound’s in the green-wood,
The hind keeps the hill.”

“Silence her cursed noise, if you should throttle her,” said Sharpitlaw; “I see somebody yonder. — Keep close, my boys, and creep round the shoulder of the height. George Poinder, stay you with Ratcliffe and that mad bitch; and you other two, come with me round under the shadow of the brae.”

And he crept forward with the stealthy pace of an Indian savage, who leads his band to surprise an unsuspecting party of some hostile tribe. Ratcliffe saw them glide off, avoiding the moonlight, and keeping as much in the shade as possible. “Robertson’s done up,” said he to himself; “thae young lads are aye sae thoughtless. What deevil could he hae to say to Jeanie

Deans, or to ony woman on earth, that he suld gang awa and get his neck raxed for her? And this mad quean, after cracking like a pen-gun, and skirling like a pea-hen for the hale night, behoves just to hae hadden her tongue when her clavers might have done some gude! But it's aye the way wi' women; if they ever haud their tongues ava', ye may swear it's for mischief. I wish I could set her on again without this blood-sucker kenning what I am doing. But he's as gleg as Mackeachan's elshin, that ran through sax plies of bend-leather and half an inch into the king's heel."

He then began to hum, but in a very low and suppressed tone, the first stanza of a favourite ballad of Wildfire's, the words of which bore some distant analogy with the situation of Robertson, trusting that the power of association would not fail to bring the rest to her mind:

"There's a bloodhound ranging Tinwal Wood,
There's harness glancing sheen;
There's a maiden sits on Tinwald brae,
And she sings loud between."

Madge had no sooner received the catchword, than she vindicated Ratcliffe's sagacity by setting off at score with the song:

„O sleep ye sound, Sir James, she said,
 When ye suld rise and ride?
 There's twenty men, wi' bow and blade,
 Are seeking where ye hide.“

Though Ratcliffe was at a considerable distance from the spot called Muschat's Cairn, yet his eyes, practised like those of a cat to penetrate darkness, could mark that Robertson had caught the alarm. George Poinder, less keen of sight, or less attentive, was not aware of his flight any more than Sharpitlaw and his assistants, whose view, though they were considerably nearer to the cairn, was intercepted by the broken nature of the ground under which they were screening themselves. At length, however, after the interval of five or six minutes, they also perceived that Robertson had fled, and rushed hastily towards the place, while Sharpitlaw called out aloud, in the harshest tones of a voice which resembled a saw-mill at work, „Chase, lads — chase — haud the brae — I see him on the edge of the hill.“ Then hollowing back to the rear-guard of his detachment, he issued his farther orders: „Ratcliffe, come here, and detain the woman — George, run and keep the stile at the Duke's Walk — Ratcliffe, come here directly — but first knock out that mad bitch's brains.“

„Ye had better rin for it, Madge,” said Ratcliffe, „for it’s ill dealing wi’ an angry man.”

Madge Wildfire was not so absolutely void of common sense as not to understand this inuendo; and while Ratcliffe, in seemingly anxious haste of obedience, hastened to the spot where Sharpitlaw waited to deliver up Jeanie Deans to his custody, she fled with all the dispatch she could exert in an opposite direction. Thus the whole party were separated, and in rapid motion of flight or pursuit, excepting Ratcliffe and Jeanie, whom, although making no attempt to escape, he held fast by the cloak, and who remained standing by Muschat’s Cairn.

CHAPTER XVIII.

*You have paid the heavens your function, and
the prisoner the very debt of your calling.*

Measure for Measure.

JEANIE DEANS, — for her own story unites itself with that part of the narrative which broke off at the end of Chapter XIV., — while she waited, in terror and amazement, the hasty advance of three or four men towards her, was yet more startled at their suddenly breaking asunder, and giving chase in different directions to the late object of her terror, who became at that moment, though she could not well assign a reasonable cause, rather the cause of her interest. One of the party (it was Sharpitlaw) came straight up to her, and saying, “Your name is

Jeanie Deans, and you are my prisoner," immediately added, "but if you will tell me which way he ran I will let you go."

"I dinna ken, sir," was all the poor girl could utter; and, indeed, it is the phrase which rises most readily to the lips of any person in her rank, as the readiest reply to any embarrassing question.

"But ye *ken* wha it was ye were speaking wi', my leddy, on the hill side, and midnight sae near; ye surely ken *that*, my bonny woman?"

"I dinna ken, sir," again iterated Jeanie, who really did not comprehend in her terror the nature of the questions which were so hastily put to her in this moment of surprise.

"We will try to mend your memory by and bye, hinny," said Sharpitlaw, and shouted, as we have already told the reader, to Ratcliffe, to come up and take charge of her, while he himself directed the chase after Robertson, which he still hoped might be successful. As Ratcliffe approached, Sharpitlaw pushed the young woman towards him with some rudeness, and betaking himself to the more important objects of his quest, began to scale crags and scramble up steep banks, with an agility of which his profession and his general gravity of demeanour would previously have argued him incapable. In a few minutes there was no one within sight, and only

a distant halloo from one of the pursuers to the other, faintly heard on the side of the hill, argued that there was any one within hearing. Jeanie Deans was left in the clear moonlight, standing under the guard of a person of whom she knew nothing, and, what was worse, concerning whom, as the reader is well aware, she could have learned nothing that would not have increased her terror.

When all in the distance was silent, Ratcliffe for the first time addressed her, and it was in that cold sarcastic indifferent tone familiar to habitual depravity, whose crimes are instigated by custom rather than by passion. "This is a braw night for ye, dearie," he said, attempting to pass his arm across her shoulder, "to be on the green hill wi' your jo." Jeanie extricated herself from his grasp, but did not make any reply. "I think lads and lasses," continued the ruffian, "dinna meet at Muschat's Cairn at midnight to crack nuts," and he again attempted to take hold of her.

"If ye are an officer of justice, sir," said Jeanie, again eluding his attempt to seize her, "ye deserve to have your coat stripped from your back."

"Very true, hinny," said he, succeeding forcibly in his attempt to seize her, "but suppose I should strip your cloak off first?"

“Ye are more a man, I am sure, than to hurt me, sir,” said Jeanie; “for God’s sake have pity on a half-distracted creature!”

“Come, come,” said Ratcliffe, “you’re a good-looking wench, and should not be cross-grained. I was going to be an honest man — but the devil has this very day flung first a lawyer, and then a woman, in my gate. I’ll tell you what, Jeanie, they are out on the hill-side — if you’ll be guided by me, I’ll carry you to a wee bit corner in the Pleasance, that I ken o’ in an auld wife’s, that a’ the prokitors o’ Scotland wot nae-thing o’, and we’ll send Robertson word to meet us in Yorkshire, for there is a set o’ braw lads about the mid land counties, that I hae dune business wi’ before now, and sae we’ll leave Mr Sharpitlaw to whistle on his thumb.”

It was fortunate for Jeanie, in an emergency like the present, that she possessed presence of mind and courage, so soon as the first hurry of surprise had enabled her to rally her recollection. She saw the risk she was in from a ruffian, who not only was such by profession, but had that evening been stupifying, by means of strong liquors, the internal aversion which he felt at the business on which Sharpitlaw had resolved to employ him.

“Dinna speak sae loud,” said she, in a low voice, “he’s up yonder.”

“Who? — Robertson?” said Ratcliffe, eagerly.

“Ay,” replied Jeanie; “up yonder;” and she pointed to the ruins of the hermitage and chapel.

“By G—d, then,” said Ratcliffe, “I’ll make my ain of him, either one way or other — wait for me here.”

But no sooner had he set off, as fast as he could run, towards the chapel, than Jeanie started in an opposite direction, over high and low, on the nearest path homeward. Her juvenile exercise as a herds-woman had put “life and mettle” in her heels, and never had she followed Dustiefoot, when the cows were in the corn, with half so much speed as she now cleared the distance betwixt Muschat’s Cairn and her father’s cottage at Saint Leonard’s. To lift the latch — to enter — to shut, bolt, and double bolt the door — to draw against it a heavy article of furniture, (which she could not have moved in a moment of less energy,) so as to make yet farther provision against violence, was almost the work of a moment, yet done with such silence as equalled the celerity.

Her next anxiety was upon her father’s account, and she drew silently to the door of his apartment, in order to satisfy herself whether he had been disturbed by her return. He was

awake, probably had slept but little; but the constant presenee of his own sorrows, the distance of his apartment from the outer-door of the house, and the precautions which Jeanie had taken to conceal her departure and return, had prevented him from being sensible of either. He was engaged in his devotions, and Jeanie could distinctly hear him use these words: «And for the other child thou hast given me to be a comfort and stay to my old age, may her days be long in the land, according to the promise thou hast given to those who shall honour father and mother; may all her purchased and promised blessings be multiplied upon her; keep her in the watches of the night, and in the uprising of the morning, that all in this land may know that thou hast not utterly hid thy face from those that seek thee in truth and in sincerity.» He was silent, but probably continued his petition in the strong fervency of mental devotion.

His daughter retired to her apartment, comforted, that while she was exposed to danger, her head had been covered by the prayers of the just as by an helmet, and under the strong confidence, that while she walked worthy of the protection of Heaven, she would experience its countenance. It was in that moment that a vague idea first darted across her mind, that

something might yet be achieved for her sister's safety, conscious as she now was of her innocence of the unnatural murder with which she stood charged. It came, as she described it, on her mind like a sun-blink on a stormy sea; and although it instantly vanished, yet she felt a degree of composure which she had not experienced for many days, and could not help being strongly persuaded, that, by some means or other, she would be called upon, and directed, to work out her sister's deliverance. She went to bed, not forgetting her usual devotions, the more fervently made on account of her late deliverance, and she slept soundly in spite of her agitation.

We must return to Ratcliffe, who had started, like a greyhound from the slips when the sportsman cries halloo, so soon as Jeanie had pointed to the ruins. Whether he meant to aid Robertson's escape, or to assist his pursuers, may be very doubtful perhaps he did not know himself, but had resolved to be guided by circumstances. He had no opportunity, however, of doing either; for he had no sooner surmounted the steep ascent, and entered under the broken arches of the ruins, than a pistol was presented at his head, and a harsh voice commanded him, in the king's name, to surrender himself prisoner. "Mr Sharpitlaw," said Ratcliffe, surprised, "is this your honour?"

“Is it only you, and be d—d to you?” answered the fiscal, still more disappointed — “what made you leave the woman?”

“She told me she saw Robertson go into the ruins, so I made what haste I could to cleek the callant.”

“It’s all over now,” said Sharpitlaw; “we shall see no more of him to-night; but he shall hide himself in a bean-hool, if he remains on Scottish ground without my finding him. Call back the people, Ratcliffe.”

Ratcliffe hollowed to the dispersed officers, who willingly obeyed the signal; for probably there was no individual among them who would have been much desirous of a rencontre hand to hand, and at a distance from his comrades, with such an active and desperate fellow as Robertson.

“And where are the two women?” said Sharpitlaw.

“Both made their heels serve them, I suspect,” replied Ratcliffe, and he hummed the end of the old song —

“Then hey play up the rin awa’ bride,
For she has ta’en the gee.”

“One woman,” said Sharpitlaw, — for, like all rogues, he was a great calumniator of the fair sex, — “is enough to dark the fairest ploy

that ever was planned; and how could I be such an ass as to expect to carry through a job that had two in it? But we know how to come by them both, if they are wanted, that's one good thing."

Accordingly, like a defeated general, sad and sulky, he led back his discomfited forces to the metropolis, and dismissed them for the night.

The next morning early he was under the necessity of making his report to the sitting magistrate of the day. The gentleman who occupied the chair of office on this occasion (for the baillies, *Anglice* aldermen, take it by rotation) chanced to be the same by whom Butler was committed, a person very generally respected among his fellow citizens. Something he was of a humorist, and rather deficient in general education but acute, patient, and upright, possessed of a fortune acquired by honest industry, which made him perfectly independent; and, in short, very happily qualified to support the respectability of the office which he held.

Mr Middleburgh had just taken his seat, and was debating in an animated manner, with one of his colleagues, the doubtful chances of a game at golf which they had played the day before, when a letter was delivered to him, addressed "For Baillie Middleburgh These: to be for-

warded with speed." It the contained these words : —

“SIR,

“I know you to be a sensible and a considerate magistrate, and one who, as such, will be content to worship God, though the devil bid you. I therefore expect that, notwithstanding the signature of this letter acknowledges my share in an action, which, in a proper time and place, I would not fear either to avow or to justify, you will not on that account reject what evidence I place before you. The clergyman, Butler, is innocent of all but involuntary presence at an action which he wanted spirit to approve of, and from which he endeavoured, with his best set phrases, to dissuade us. But it was not for him that it is my hint to speak. There is a woman in your jail, fallen under the edge of a law so cruel, that it has hung by the wall, like unscoured armour, for twenty years, and is now brought down and whetted to spill the blood of the most beautiful and most innocent creature whom the walls of a prison ever girdled in. Her sister knows of her innocence, as she communicated to her that she was betrayed by a villain. — O that high Heaven

,Would put in every honest hand a whip,
To scourge me such a villain through the world!"

"I write distractedly — But this girl — this Jeanie Deans, is a peevish puritan, superstitious and scrupulous after the manner of her sect; and I pray your honour, for so my phrase must go, to press upon her, that her sister's life depends upon her testimony. But though she should remain silent, do not dare to think that the young woman is guilty — far less to permit her execution. Remember the death of Wilson was fearfully avenged; and those yet live who can compel you to drink the dregs of your poisoned chalice. — I say, remember Porteous, — and say that you had good counsel from

«ONE OF HIS SLAYERS.»

The magistrate read over this extraordinary letter twice or thrice. At first he was tempted to throw it aside as the production of a madman, so little did "the scraps from play-books," as he termed the poetical quotation, resemble the correspondence of a rational being. On a reperusal, however, he thought that, amid its incoherence, he could discover something like a tone of awakened passion, though expressed in a manner quaint and unusual.

“It is a cruelly severe statute,” said the magistrate to his assistant, “and I wish the girl could be taken from under the letter of it. A child may have been born, and it may have been conveyed away while the mother was insensible, or it may have perished for want of that relief which the poor creature herself, — helpless, terrified, distracted, despairing, and exhausted, — may have been unable to afford to it. And yet it is certain if the woman is found guilty under the statute, execution will follow. The crime has been too common, and examples are necessary.”

“But if this other wench,” said the city-clerk, “can speak to her sister communicating her situation, it will take the case from under the statute.”

“Very true; and I will walk out one of these days to St Leonard’s, and examine the girl myself. I know something of their father Deans — an old true blue Cameronian, who would see house and family go to wreck ere he would disgrace his testimony by a sinful complying with the defections of the times; and such he will probably uphold the taking an oath before a civil magistrate. If they are to go on and flourish wi’ their bull-headed obstinacy, the legislature must pass an act to take their affirmations, as in the case of Quakers. But surely neither a father

nor a sister will scruple in a case of this kind. As I said before, I will go speak with them myself, when the hurry of this Porteous investigation is somewhat over; their pride and spirit of contradiction will be far less alarmed, than if they were called into a court of justice at once."

"And I suppose Butler is to remain incarcerated?" said the city-clerk.

"For the present, certainly," said the magistrate. But I hope soon to set him at liberty upon bail."

"Do you rest upon the testimony of that lightheaded letter?" said the clerk.

"Not very much," answered the baillie; "and yet there is something striking about it too — it seems the letter of a man beside himself, either from great agitation, or great sense of guilt."

"Yes," said the town-clerk, "it is very like the letter of a mad strolling play-actor, who deserves to be hanged with all the rest of his gang, as your honour justly observes."

"I was not quite so blood thirsty," continued the magistrate. "But to the point. Butler's private character is excellent; and I am given to understand, by some enquiries I have been making this morning, that he did actually arrive in town only the day before yesterday, so that it

was impossible he could have been concerned in any previous machinations of these unhappy rioters, and it is not likely that he should have joined them on a suddeny."

"There's no saying anent that — zeal catches fire at a slight spark as fast as a brunstane match," observed the secretary. "I have kenn'd a minister wad be fair gude day and fair gude e'en wi' ilka man in the parochine, and hing just as quiet as a rocket on a stick, till ye mentioned the word abjuration-oath, or patronage, or sic like, and then, whiz, he was off, and up in the air an hundred miles beyond common manners, common sense, and common comprehension."

"I do not apprehend," answered the burgher-magistrate, "that the young man Butler's zeal is of so inflammable a character. But I will make further investigation. What other business is there before us?"

And they proceeded to minute investigations concerning the affair of Porteous's death, and other affairs through which this history has no occasion to trace them.

In the course of their business they were interrupted by an old woman of the lower rank, who thrust herself into the council room. "What do you want, gudewife? — Who are you?"

"What do I want!" replied she, in a sulky

tone — “I want my bairn, or I want naething frae nane o’ ye, for as grand’s ye are.” And she went on muttering to herself, with the wayward spitefulness of age — “They maun hae lordships and honours nae doubt — set them up, the gutter-bloods! and de’il a gentleman amang them.” — Then again addressing the sitting magistrate, “Will *your honour* gi’e me back my puir crazy bairn? — *His honour*! — I hae kenn’d the day when less wad ser’d him, the oe of a Campvere skipper.”

“Goodwoman,” said the magistrate to this shrewish suppliant, — “tell us what it is you want, and do not interrupt the court.”

„That’s as muckle as till say, Bark, Bawtie, and be dune wi’t! — I tell ye,” raising her termagant voice, „I want my bairn! is na that braid Scots?”

„Who *are* you? — who is your bairn?” demanded the magistrate.

„Wha am I?” — wha suld I be, but Meg Murdockson, and wha suld my bairn be but Magdalen Murdockson? — Your guard soldiers, and your constables, and your officers, ken us weel aneugh when they rive the bits o’ duds aff our backs, and take what penny o’ siller we hae, and harle us to the Correction-house in Leith Wynd, and pettle us up wi’ bread and water, and siclike sunkets.”

„Who is she?“ said the magistrate, looking round to some of his people.

„Other than a good ane, sir,“ said one of the city-officers, shrugging his shoulders and smiling.

„Will ye say sae?“ said the termagant, her eye gleaming with impotent fury, and I had ye amang the Frigate-Whins, wadna I set my ten talents in your wuzzent face for that very word?“ and she suited the word to the action, by spreading out a set of claws resembling those of St George's dragon on a country sign-post.

„What does she want here?“ said the impatient magistrate — „Can she not tell her business, or go away?“

„It's my bairn! — it's Magdalen Murdockson I'm wantin,“ answered the beldame, screaming at the highest pitch of her cracked and mistuned voice — „havena I been telling ye sae this half-hour? And if ye are deaf, what needs ye sit cockit up there, and keep folk scraughin' t'ye this gate?“

„She want's her daughter, sir,“ said the same officer whose interference had given the hag such offence before — „her daughter, who was taken up last night — Madge Wildfire, as they ca' her.“

„Madge **HELLFIRE**, as they ca' her!“ echoed the beldame; „and what business has a blackguard

like you to ca' an honest woman's bairn out o' her ain name?"

„An *honest* woman's bairn, Maggie!" answered the peace-officer, smiling and shaking his head with an ironical emphasis on the adjective, and a calmness calculated to provoke to madness the furious old shrew.

„If I am no honest now, I was honest anes," she replied; „and that's mair than ye can say, ye born and bred thief, that never kenn'd ither folk's gear frae your ain since the day ye was cleckit. Honest, say ye? — ye pykit your mother's pouch o' twalpennies Scotch when ye were five years auld, just as she was taking leave o' your father at the fit o' the gallows."

„She has you there, George," said the assistants, and there was a general laugh; for the wit was fitted for the meridian of the place where it was uttered. This general applause somewhat gratified the passions of the old hag; the „grim feature" smiled, and even laughed — but it was a laugh of bitter scorn. She condescended, however, as if appeased by the success of her sally, to explain her business more distinctly, when the magistrate, commanding silence, again desired her either to speak out her errand, or to leave the place.

„Her bairn," she said, „was her bairn, and she came to fetch her out of ill haft and war

guiding. If she wasna sae wise as ither folks, few ither folks had suffered as muckle as she had done; forbye that she could fend the waur for hersell within the four wa's of a jail. She could prove by fifty witnesses, and fifty to that, that her daughter had never seen Jock Porteous, alive or dead, since he had gi'en her a lounder-ing wi' his cane, the neger that he was, for driving a dead cat at the provost's wig on the Elector of Hanover's birth-day."

Notwithstanding the wretched appearance and violent demeanour of this woman, the magistrate felt the justice of her argument, that her child might be as dear to her as to a more fortunate and more amiable mother. He proceeded to investigate the circumstances which had led to Madge Murdockson's (or Wildfire's) arrest, and as it was clearly shewn that she had not been engaged in the riot, he contented himself with directing that an eye should be kept upon her by the police, but that for the present she should be allowed to return home with her mother. During the interval of fetching Madge from the jail, the magistrate endeavoured to discover whether her mother had been privy to the change of dress betwixt that young woman and Robertson. But on this point he could obtain no light. She persisted in declaring, that she had never seen Robertson since his remark-

able escape during service time; and that, if her daughter had changed clothes with him, it must have been during her absence at a hamlet about two miles out of town, called Duddingstone, where she could prove that she passed that eventful night. And, in fact, one of the town-officers, who had been searching for stolen linen at the cottage of a washerwoman in that village, gave his evidence, that he had seen Maggie Murdockson there, whose presence had considerably increased his suspicion of the house in which she was a visitor, in respect that he considered her as a person of no good reputation.

„I tauld ye sae,” said the hag; „see now what it is to hae a character, gude or bad! — Now, maybe after a’, I could tell ye something about Porteous that you council-chamber bodies never could find out, for as muckle stir as ye mak.”

„All eyes were turned towards her — all ears were alert. „Speak out,” said the magistrate.

„It will be for your ain gude,” insinuated the town-clerk.

„Dinna keep the baillie waiting,” urged the assistants.

She remained doggedly silent for two or three minutes, casting around a malignant and sulky glance, that seemed to enjoy the anxious suspense with which they waited her answer. And

then she broke forth at once, — „A' that I ken about him is, that he was neither soldier nor gentleman, but just a thief and a blackguard, like maist o' yoursels, dears — What will ye gie me for that news now? — He wad hae served the gude town lang or provost or baillie wad hae fund that out, my joe!“

While these matters were in discussion, Madge Wildfire entered, and her first exclamation was, „Eh! see if there isna our auld ne'er-do-weel deevil's buckie o' a mither — Hegh, sirs! but we are a hopefu' family, to be twa o' us in the Guard at ance — But there were better days wi' us ance — were there na, mither?“

Old Maggie's eyes had glistened with something like an expression of pleasure when she saw her daughter set at liberty. But either her natural affection, like that of the tigress, could not be displayed without a strain of ferocity, or there was something in the ideas which Madge's speech awakened, that again stirred her cross and savage temper. „What signifies what we were, ye streetraking limmer!“ she exclaimed pushing her daughter before her to the door, with no gentle degree of violence. „I'se tell thee what thou is now — thou's a crazed hellicat Bess o' Bedlam, that sall taste naething but bread and water for a fortnight, to serve ye for

the plague ye hae gien me, and ower gude for ye, ye idle taupie."

Madge, however, escaped from her mother at the door, ran back to the foot of the table, dropped a very low and fantastic curtsey to the judge, and said, with a giggling laugh, — „Our minnie's sair mis-set, after her ordinar, sir — She'll hae had some quarrel wi' her auld gudeman — that's Satan, ye ken, sirs." This explanatory note she gave in a low confidential tone, and the spectators of that credulous generation did not hear it without an involuntary shudder. „The gudeman and her disna aye gree weel, and then I maun pay the piper; but my back's broad aneugh to bear't a' — an' if she hae nae havings, that's nae reason why wiser folk shouldna hae some." Here another deep curtsey. The ungracious voice of her mother was heard.

„Madge, ye limmer! If I come to fetch ye!"

„Hear till her," said Madge. „But I'll wun out a gliff the night for a' that, to dance in the moonlight, when her and the gudeman will be whirring through the blue lift on a broom-shank, to see Jean Jap, that they hae putten intill the Kirkcaldy tolbooth — ay, they will hae a merry sail ower Inchkeith, and ower a' the bits o' bonny waves that are poppling and plashing against the rocks in the gowden glimmer o' the moon, ye ken. — I'm coming, mother — I'm

coming," she concluded, on hearing a scuffle at the door betwixt the beldame and the officers, who were endeavouring to prevent her re-entrance. Madge then waved her hand wildly towards the ceiling, and sung, at the topmost pitch of her voice, —

„Up in the air,
On my bonnie grey mare,
And I see, and I see, and I see her yet.“

And with a hop, skip, and jump, sprung out of the room, as the witches of Macbeth used, in less refined days, to seem to fly upwards from the stage.

Some weeks intervened before Mr Middleburgh, agreeably to his benevolent resolution, found an opportunity of taking a walk towards St Leonard's, in order to discover whether it might be possible to obtain the evidence hinted at in the anonymous letter respecting Effie Deans.

In fact, the anxious perquisitions made to discover the murderers of Porteous occupied the attention of all concerned with the administration of justice.

In the course of these enquiries, two circumstances happened material to our story. Butler, after a close investigation of his conduct,

was declared innocent of accession to the death of Porteous; but, as having been present during the whole transaction, was obliged to find bail not to quit his usual residence at Libberton, that he might appear as a witness when called upon. The other incident regarded the disappearance of Madge Wildfire and her mother from Edinburg. When they were sought, with the purpose of subjecting them to some further interrogatories, it was discovered by Mr Sharpitlaw that they had eluded the observation of the police, and left the city so soon as dismissed from the council-chamber. No efforts could trace the place of their retreat.

In the meanwhile the excessive indignation of the Council of Regency, at the slight put upon their authority by the murder of Porteous, had dictated measures, in which their own extreme desire of detecting the actors in that conspiracy were consulted, in preference to the temper of the people, and the character of their churchmen. An act of parliament was hastily passed, offering two hundred pounds reward to those who should inform against any person concerned in the deed, and the penalty of death, by a very unusual and severe enactment, was denounced against those who should harbour the guilty. But what was chiefly accounted exceptionable, was a clause, appointing the act to be

read in churches by the officiating clergyman, upon the first Sunday of every month, for a certain period, immediately before the sermon. The ministers who should refuse to comply with this injunction were declared, for the first offence, incapable of sitting or voting in any church judicature, and for the second, incapable of holding any ecclesiastical preferment in Scotland.

This last order united in a common cause those who might privately rejoice in Porteous's death, though they dared not indicate the manner of it, with the more scrupulous presbyterians, who held that even the pronouncing the name of the „Lords Spiritual“ in a Scottish pulpit was, *quodammodo*, an acknowledgment of prelacy, and that the injunction of the legislature was an interference of the civil government with the *jus divinum* of presbytery, since to the General Assembly alone, as representing the invisible head of the kirk, belonged the sole and exclusive right of regulating whatever belonged to public worship. Very many also of different political or religious sentiments, and therefore not much moved by these considerations, thought they saw, in so violent an act of parliament, a more vindictive spirit than became the legislature of a great country, and something like an attempt to trample upon the rights and independence of Scotland. The various steps adopted

for punishing the city of Edinburgh, by taking away her charter and liberties, for what a violent and over-mastering mob had done within her walls, were resented by many, who thought a pretext was too hastily taken for degrading the ancient metropolis of Scotland. In short, there was much heart-burning, discontent, and disaffection, occasioned by these ill-considered measures.

Amidst these heats and dissensions, the trial of Effie Deans, after many weeks confinement, was at length about to be brought forward, and Mr Middleburgh found leisure to enquire into the evidence concerning her. For this purpose, he chose a fine day for his walk towards her father's house.

The excursion into the country was somewhat distant, in the opinion of a burgess of these days, although many of the present inhabit suburban villas considerably beyond the spot to which we allude. Three quarters of an hour's walk, however, even at a pace of magisterial gravity, conducted our benevolent office-bearer to the Crag of St Leonard's, and the humble mansion of David Deans.

The old man was seated on the deas, or turfseat, at the end of his cottage, busied in mending his cart-harness with his own hands; for in those days any sort of labour which re-

quired a little more skill than usual fell to the share of the goodman himself, and that even when he was well to pass in the world. With stern and austere gravity he persevered in his task, after having just raised his head to notice the advance of the stranger. It would have been impossible to have discovered, from his countenance and manner, the internal feelings of agony with which he contended. Mr Middleburgh waited an instant, expecting Deans would in some measure acknowledge his presence, and lead into conversation; but, as he seemed determined to remain silent, he was himself obliged to speak first.

„My name is Middleburgh — Mr James Middleburgh, one of the present magistrates of the city of Edinburgh.“

„It may be sae,“ answered Deans laconically, and without interrupting his labour.

„You must understand,“ he continued, „that the duty of a magistrate is sometimes an unpleasant one.“

„It may be sae,“ replied David; „I hae naething to say in the contrair;“ and he was again doggedly silent.

„You must be aware,“ pursued the magistrate, „that persons in my situation are often obliged to make painful and disagreeable enqui-

ries at individuals, merely because it is their bounden duty."

"It may be sae," again replied Deans; "I hae naething to say anent it, either the tae way or the t'other. But I do ken there was ance in a day a just and God-fearing magistracy in yon town o' Edinburgh, that did not bear the sword in vain, but were a terror to evil doers; and a praise to such as kept the path. In the glorious days of auld worthy faithfu' Provost Dick, when there was a true and faithfu' General Assembly of the Kirk, walking hand in hand with the real noble Scottish-hearted barons, and with the magistrates of this and other towns, gentles, burghesses, and commons of all ranks, seeing with one eye, hearing with one ear, and upholding the ark with their united strength — And then folk might see men deliver up their silver to the states' use, as if it had been as muckle sclate stanes. My father saw them toom the sacks of dollars out o' Provost Dick's window intill the carts that carried them to the army at Dunse-law; and if ye winna believe his testimony, there is the window itsell still standing in the Luckenbooths — I think it's a claith-merchant's booth the day — at the airn stanchells, five doors abune Gossford's Close. — But now we haena sic spirit amang us; we think mair about the warst wally-draigle in our ain byre, than about the

blessing which the angel of the covenant gave to the Patriarch even at Peniel and Mahanaim, or the binding obligation of our national vows; and we wad rather gi'e a pund Scots to buy an unguent to clear our auld rannel-trees and our beds o' the English bugs as they ca' them, than we wad gi'e a plack to rid the land of the swarm of Arminian caterpillars, Socinian pismires, and deistical Miss Katies, that have ascended out of the bottomless pit, to plague this perverse, insidious, and luke warm generation."

It happened to David Deans on this occasion as it has done to many other habitual orators; when once he became embarked on his favourite subject, the stream of his own enthusiasm carried him forward in spite of his mental distress, while his well exercised memory supplied him amply with all the types and tropes of rhetoric peculiar to his sect and cause.

Mr Middleburgh contented himself with answering — „All this may be very true, my friend; but, as you said just now, I have nothing to say to it at present, either one way or other. — You have two daughters, I think, Mr Deans?"

The old man winced, as one whose smarting sore is suddenly galled, but instantly composed himself, resumed the work which, in the heat of his declamation, he had laid down, and an-

swered with sullen resolution, „Ae daughter, sir — only *ane*.“

„I understand you,“ said Mr Middleburgh; „you have only one daughter here at home with you — but this unfortunate girl who is a prisoner — she is, I think, your youngest daughter?“

The presbyterian sternly raised his eyes. „After the world, and according to the flesh, she is my daughter; but when she became a child of Belial, and a company-keeper, and a traitor in guilt and iniquity, she ceased to be a bairn of mine.“

„Alas, Mr Deans,“ said Middleburgh, sitting down by him, and endeavouring to take his hand, which the old man proudly withdrew, „we are ourselves all sinners; and the errors of our offspring, as they ought not to surprise us, being the portion which they derive of a common portion of corruption inherited through us, so they do not entitle us to cast them off because they have lost themselves.“

„Sir,“ said Deans, impatiently, „I ken a’ that as weel as — I mean to say,“ he resumed, checking the irritation he felt at being school’d, — a discipline of the mind, which those most ready to bestow it on others, do themselves most reluctantly submit to receive — „I mean to say, that what ye observe may be just and reasonable — But I hae nae freedom to enter into my

ain private affairs wi' strangers — And now, in this great national emergency, when there's the Porteous Act has come doun frae London, that is a deeper blow to this poor sinfu' kingdom and suffering kirk, than ony that has been heard of since the foul and fatal Test — at a time like this" — —

„But, goodman," interrupted Mr Middleburgh, „you must think of your own household first, or else you are worse even than the infidels."

„I tell ye, Baillie Middleburgh," retorted David Deans, „if ye be a baillie," as there is little honour in being ane in these evil days — I tell ye, I heard the gracious Saunders Peden — I wotna whan it was; but it was in killing time, when the plowers were drawing alang their furrows on the back of the Kirk of Scotland — I heard him tell his hearers, gude and waled Christians they were too, that some o' them wad greet mair for a bit drowned calf or stirk, than for a' the defections and oppressions of the day; and that they were some o' them thinking o' ae thing, some o' anither, and there was Lady Hundleslope thinking o' greeting Jock at the fire-side! And the lady confessed in my hearing, that a drow of anxiety had come ower her for her son that she had left at hame weak of a decay — And what wad he hae said of me, if I had ceased to think of the gude cause for a cast-

away — a — it kills me to think of what she is —“

„But the life of your child, goodman — think of that, if her life could be saved,“ said Middleburgh.

„Her life?“ exclaimed David — „I wadna gi'e ane o' my grey hairs for her life, if her gude name be gane — And yet,“ said he, relenting and retracting as he spoke, „I would make the niffer, Mr Middleburg — I wad gi'e a' these grey hairs that she has brought to shame and sorrow — I wad gi'e the auld head they grow on for her life, and that she might hae time to amend and return, for what hae the wicked beyond the breath of their nostrils — But I'll never see her mair. — No! — that — that I am determined in — I'll never see her mair.“ His lips continued to move for a minute after his voice ceased to be heard, as if he were repeating the same vow internally.

„Well, sir,“ said Mr Middleburgh, „I speak to you as a man of sense; if you would save your daughter's life, you must use human means.“

„I understand what you mean; but Mr Novit, who is the procurator and doer of an honourable person, the Laird of Dumbiedikes, is to do what carnal wisdom can do for her in the circumstances. Mysell am not clear to trinquet

and traffic wi' courts o' justice, as they are now constituted; I have a tenderness and scruple in my mind anent them."

"That is to say," said Middleburgh, "that you are a Cameronian, and do not acknowledge the authority of our courts of judicature or present government?"

"Sir, under your favour," replied David, who, too proud of his own polemical knowledge, to call himself the follower of any one, "ye tak me up before I fall down. I canna see why I suld be termed a Cameronian, especially now that ye hae given the name of that famous and savoury sufferer, not only until a regimental band of souldiers, whereof I am told many can now curse, swear, and use profane language, as fast as ever Richard Cameron could preach or pray; but also because ye have, in as far as it is in your power, rendered that martyr's name vain and contemptible, by pipes, drums, and fifes, playing the vain carnal spring, called the Cameronian Rant, which too many professors of religion dance to — a practice maist unbecoming a professor to dance to any tune whatsoever more especially promiscuously, that is, with the female sex. A brutish fashion it is, whilk is the beginning of defection with many, as I may hae as muckle cause as maist folk to testify."

"Well, but Mr Deans," replied Mr Middle-

burgh, «I only meant to say that you were a Cameronian or Mac Millanite, one of the society people, in short, who think it inconsistent to take oaths under a government where the Covenant is not ratified.»

«Sir,» replied the controversialist, who forgot even his present distress in such discussions as these, «you cannot fickle me sae easily as you do opine. I am *not* a Mac Millanite, or a Russelite, or a Hamiltonian, or a Harleyite, or a Howdenite — I will be led by the nose by none — and take my name as a Christian from no vessel of clay. I have my own principles and practice to answer for, and am an humble pleader for the gude auld cause in a legal way.»

«That is to say, Mr Deans,» said Middleburgh, «that you are a *Deanite*, and have opinions peculiar to yourself.»

«It may please you to say sae,» said David Deans; «but I have maintained my testimony before as great folks, and in sharper times; and though I will neither exalt myself nor pull down others, I wish every man and woman in this land had kept the true testimony, and the middle and straight path, as it were, on the ridge of a hill, where wind and water shears, avoiding right-hand snares and extremes, and left-hand way-slidings, as weel as Johnny Dodds of

Farthing's Acre, and ae man mair that shall be nameless."

"I suppose," replied the magistrate, "that is as much as to say, that Johnny Doods of Farthing's Acre, and David Deans of St Leonard's, constitute the only members, of the true, real, unsophisticated Kirk of Scotland?"

"God forbid that I suld make sic a vainglorious speech, when there are sae mony professing Christians," answered David; "but this I maun say, that all men act according to their gifts and their grace, sae that it is nae marvel that" —

"This is all very fine," interrupted Mr Middleburgh; but I have no time to spend in hearing it. The matter in hand is this — I have directed a citation to be lodged in your daughter's hands — If she appears on the day of trial and gives evidence, there is reason to hope she may save her sister's life — if, from any constrained scruples about the legality of her performing the office of an affectionate sister and a good subject, by appearing in a court held under the authority of the law and government, you become the means of deterring her from the discharge of this duty, I must say, though the truth may sound harsh in your ears, that you, who gave life to this unhappy girl, will become

the means of her losing it by a premature and violent death."

So saying, Mr Middleburgh turned to leave him.

"Bide awee — bide awee, Mr Middleburgh," said Deans, in great perplexity and distress of mind; but the baillie, who was probably sensible that protracted discussion might diminish the effect of his best and most forcible argument, took a hasty leave, and declined entering further into the controversy.

Deans sunk down upon his seat, stunned with a variety of conflicting emotions. It had been a great source of controversy among those holding his opinions in religious matters, how far the government which succeeded the Revolution could be, without sin, acknowledged by true presbyterians, seeing that it did not recognize the great national testimony of the Solemn League and Covenant? And latterly, those agreeing in this general doctrine, and assuming the sounding title of the anti-popish, anti-prelatic, anti-erastian, anti-sectarian, true presbyterian remnant, were divided into many petty sects among themselves, even as to the extent of submission to the existing laws and rulers, which constituted such an acknowledgment as amounted to sin.

At a very stormy and tumultuous meeting,

held in 1622, to discuss these important and delicate points, the testimonies of the faithful few were found utterly inconsistent with each other.

h The place where this conference took place was remarkably well adapted for such an assembly. It was a wild and very sequestered dell in Tweeddale, surrounded by high hills, and far remote from human habitation. A small river, or rather a mountain torrent, called the Talla, breaks down the glen with great fury, dashing successively over a number of small cascades, which has procured the spot the name of Talla-Lins. Here the leaders among the scattered adherents to the Covenant, men who, in their banishment from human society, and in the recollection of the severities to which they had been exposed, had become at once sullen in their tempers, and fantastic in their religious opinions, met with arms in their hands, and by the side of the torrent discussed, with a turbulence which the noise of the stream could not drown, points of controversy as empty and unsubstantial as its foam.

It was the fixed judgment of most of the meeting, that all payment of cess or tribute to the existing government was utterly unlawful, and a sacrificing to idols. About other impositions and degrees of submission there were various opinions; and perhaps it is the best illus-

tration of the spirit of these military fathers of the church to say, that while all allowed it was impious to pay the cess employed for maintaining the standing army and militia, there was a fierce controversy on the lawfulness of paying the duties levied at ports and bridges, for maintaining roads and other necessary purposes; that there were some who, repugnant to these imposts for turnpikes and postages, were nevertheless free in conscience to make payment of the usual freight at public ferries, and that a person of exceeding and punctilious zeal, James Russel, one of the slayers of the Archbishop of St Andrews, had given his testimony with great warmth even against this last faint shade of subjection to constituted authority. This ardent and enlightened person and his followers had also great scruples about the lawfulness of bestowing the ordinary names upon the days of the week and the months of the year, which savoured in their nostrils so strongly of paganism, that at length they arrived at the conclusion that they who owned such names as Monday, Tuesday, January, February, and so forth, «served themselves heirs to the same, if not greater punishment, than had been denounced against the idolaters of old.»

David Deans had been present on this memorable occasion, although too young to be a

speaker among the polemical combatants. His brain, however, had been thoroughly heated by the noise, clamour, and metaphysical ingenuity of the discussion, and it was a controversy to which his mind had often returned; and though he carefully disguised his vacillation from others, and perhaps from himself, he had never been able to come to any precise line of decision on the subject. In fact, his natural sense had acted as a counterpoise to his controversial zeal. He was by no means pleased with the quiet and indifferent manner in which King William's government slurred over the errors of the times, when, far from restoring the presbyterian kirk to its former supremacy, they passed an act of oblivion even to those who had been its persecutors, and bestowed on many of them titles, favours, and employments. When, in the first General Assembly which succeeded the Revolution, an overture was made for the revival of the League and Covenant, it was with horror that Douce David heard the proposal eluded by the men of carnal wit and policy, as he called them, as being inapplicable to the present times, and not falling under the modern model of the church. The reign of Queen Anne had increased his conviction, that the Revolution government was not one of the true presbyterian complexion. But then, more sensible than the bigots of his

sect, he did not confound the moderation and tolerance of these two reigns with the active tyranny and oppression exercised in those of Charles II. and James II. The presbyterian form of religion, though deprived of the weight formerly attached to its sentences of excommunication, and compelled to tolerate the co-existence of episcopacy, and of sects of various descriptions, was still the National Church; and though the glory of the second temple was far inferior to that which had flourished from 1639 till the battle of Dunbar, still it was a structure that, wanting the strength and the terrors, retained at least the form and symmetry of the original model. Then came the insurrection in 1715, and David Deans's horror for the revival of the popish and prelatical faction reconciled him greatly to the government of King George, although he grieved that that monarch might be suspected of a leaning unto Erastianism. In short, moved by so many different considerations, he had shifted his ground at different times concerning the degree of freedom which he felt in adopting any act of immediate acknowledgment or submission to the present government, which, however mild and paternal, was still uncovenanted; and now he felt himself called upon by the most powerful motive conceivable, to authorize his daughter's giving testimony in a court

of justice, which all who have been since called Cameronians accounted a step of lamentable and direct defection. The voice of nature, however, exclaimed loud in his bosom against the dictates of fanaticism; and his imagination, fertile in the solution of polemical difficulties, devised an expedient for extricating himself from the fearful dilemma, in which he saw, on the one side, a falling off from principle, and, on the other, a scene from which a father's thoughts could not but turn in shuddering horror.

“I have been constant and unchanged in my testimony,” said David Deans; “but then who has said it of me, that I have judged my neighbour over closely, because he hath more freedom in his walk than I have found in mine? I never was a separatist, nor for quarrelling with tender souls about mint, cummin, or other the lesser tithes. My daughter Jean may have a light in this subject that is hid frae my auld een — it is laid on her conscience and not on mine — If she hath freedom to gang before this judicatory and hold up her hand for this poor cast-away surely I will not say she steppeth over her bounds; and if not” — — He paused in his mental argument, while a pang of unutterable anguish convulsed his features, yet, shaking it off, he firmly resumed the strain of his reasoning — And IF NOT — God forbid that she should go

into defection at bidding of mine! I wunna fret the tender conscience of one bairn — no, not to save the life of the other."

A Roman would have devoted his daughter to death from different feelings and motives, but not upon a more heroic principle of duty.

CHAPTER XIX.

*To man, in this his trial state,
The privilege is given,
When tost by tides of human fate,
To anchor fast on heaven*

WATTS's Hymns.

It was with a firm step that Deans sought his daughter's apartment, determined to leave her to the light of her own conscience in the dubious point of casuistry in which he supposed her to be placed.

The little room had been the sleeping apartment of both sisters, and there still stood there a small occasional bed which had been made for Effie's accommodation, when, complaining of illness, she had declined to share, as in happier times, her sister's pillow. The eyes of Deans rested involuntarily, on entering the room, upon this little couch, with its dark-green coarse cur-

tains, and the ideas connected with it rose so thick upon his soul as almost to incapacitate him from opening his errand to his daughter. Her occupation broke the ice. He found her gazing on a slip of paper, which contained a citation to her to appear as a witness upon her sister's trial in behalf of the accused. For the worthy magistrate, determined to omit no chance of doing Effie justice, and to leave her sister no apology for not giving the evidence which she was supposed to possess, had caused the ordinary citation, or *subpoena*, of the Scottish criminal court, to be served upon her by an officer during his conference with David.

This precaution was so far favourable to Deans, that it saved him the pain of entering upon a formal explanation with his daughter; he only said, with a hollow and tremulous voice, "I perceive ye are aware of the matter."

"O father, we are cruelly steeled between God's laws and man's laws — What will we do? — What will we do?"

Jeanie, it must be observed, had no scruples whatever about the mere act of appearing in a court of justice. She might have heard the point discussed by her father more than once; but we have already noticed, that she was accustomed to listen with reverence to much which she was incapable of understanding, and that subtle argu-

ments of casuistry found her a patient, but unedified hearer. Upon receiving the citation, therefore, her thoughts did not turn upon the chimerical scruples which alarmed her father's mind, but to the language which had been held to her by the stranger at Muschat's Cairn. In a word, she never doubted but she was to be dragged forward into the court of justice, in order to place her in the cruel position of either sacrificing her sister by telling the truth, or committing perjury in order to save her life. And so strongly did her thoughts run in this channel, that she applied her father's words, "Ye are aware of the matter," to his acquaintance with the advice that had been so fearfully enforced upon her. She looked up with anxious surprise not unmingled with a cast of horror, which his next words as she interpreted and applied them were not qualified to remove.

"Daughter," said David, "it has ever been my mind, that in things of ane doubtful and controversial nature, ilk Christian's conscience suld be his ain guide — Wherefore descend into yourself, try your ain mind with sufficiency of soul exercise, and as you sall finally find yourself clear to do in this matter — even so be it."

"But, father," said Jeanie, whose mind revolted at the construction which she naturally put upon his language, "can this — THIS be a

doubtful or controversial matter? — Mind, father, the ninth command — ,Thou shalt not bear false witness against thy neighbour.' ”

David Deans paused; for, still applying her speech to his preconceived difficulties, it seemed to him, as if *she*, a woman, and a sister, was scarce entitled to be scrupulous upon this occasion, where *he*, a man, exercised in the testimonies of that testifying period, had given indirect countenance to her following what must have been the natural dictates of her own feelings. But he kept firm his purpose, until his eyes involuntarily rested upon the little settle-bed, and recalled the form of the child of his old age, as she sate upon it, pale, emaciated, and broken-hearted. His mind, as the picture arose before him, involuntarily conceived, and his tongue involuntarily uttered — but in a tone how different from his usual dogmatical precision, arguments for the course of conduct likely to insure his child's safety.

“Daughter,” he said, “I did not say that your path was free from stumbling — and, questionless, this act may be in the opinion of some a transgression, since he who beareth witness unlawfully, and against his conscience, doth in some sort bear false witness against his neighbour. Yet in matters of compliance, the guilt lieth not in the compliance sae muckle, as in

the mind and conscience of him that doth comply; and, therefore, although my testimony hath not been spared upon public defections, I haena felt freedom to seperate mysell from the communion of many who have been clear to hear those ministers who have taken the fatal indulgence, because they might get good of them, though I could not."

When David had proceeded thus far, his conscience reproved him, that he might be indirectly undermining the purity of his daughter's faith, and smoothing the way for her falling off from strictness of principle. He, therefore, suddenly stopped, and changed his tone: — "Jeanie, I perceive that our vile affections, — so I call them in respect of doing the will of our Father, — cling too heavily to me in this hour of trying sorrow, to permit me to keep sight of my ain duty, or to airt you to yours. I will speak nae mair anent this over-trying matter. — Jeanie, if ye can, wi' God and gude conscience, speak in favour of this puir unhappy" — (here his voice faltered) — "she is your sister in the flesh — worthless and cast-away as she is, she is the daughter of a saint in Heaven, that was a mother to you, Jeanie, in place of your ain — but if ye arena free in conscience to speak for her in the court of judicature — follow your conscience, Jeanie, and let God's will be done."

After this adjuration he left the apartment, and his daughter remained in a state of great distress and perplexity.

It would have been no small addition to the sorrows of David Deans, even in this extremity of suffering, had he known that his daughter was applying the casuistical arguments which he had been using, not in the sense of a permission to follow her own opinion on a dubious and disputed point of controversy, but rather as an encouragement to transgress one of those divine commandments which Christians of all sects and denominations unite in holding most sacred.

“Can this be?” said Jeanie, as the door closed on her father — “Can these be his words that I have heard, or has the Enemy taken his voice and features to give weight unto the counsel which causeth to perish! — A sister’s life, and a father pointing out how to save it! — O God deliver me! — this is a fearfu’ temptation.”

Roaming from thought to thought, she at one time imagined her father understood the ninth commandment literally, as prohibiting false witness *against* our neighbour, without extending the denunciation against falsehood uttered in favour of the criminal. But her clear and unsophisticated power of discriminating between good and evil, instantly rejected an interpreta-

tion so limited, and so unworthy of the Author of the law. She remained in a state of the most agitating terror and uncertainty — afraid to communicate her thoughts freely to her father, lest she should draw forth an opinion with which she could not comply, — wrung with distress on her sister's account, rendered the more acute by reflecting that the means of saving her were in her power, but were such as her conscience prohibited her from using, — tossed, in short, like a vessel in an open roadstead during a storm, and, like that vessel, resting on one only sure cable and anchor, — faith in Providence, and a resolution to discharge her duty.

Butler's affection and strong sense of religion would have been her principal support in these distressing circumstances, but he was still under restraint, which did not permit him to come to St Leonard's Crag; and her distresses were of a nature, which, with her indifferent habits of scholarship, she found it impossible to express in writing. She was therefore compelled to trust for guidance to her own unassisted sense of what was right or wrong.

It was not the least of her distresses, that, although she hoped and believed her sister to be innocent, she had not the means of receiving that assurance from her own mouth.

The double-dealing of Ratcliffe in the matter

of Robertson had not prevented his being rewarded, as double-dealers frequently have been, with favour and preferment. Sharpitlaw, who found in him something of a kindred genius, had been intercessor in his behalf with the magistrates, and the circumstance of his having voluntarily remained in the prison, when the doors were forced by the mob, would have made it a hard measure to take the life which he had such easy means of saving. He received a full pardon; and soon afterwards, James Ratcliffe, the greatest thief and housebreaker in Scotland, was, upon the faith, perhaps, of an ancient proverb, selected as a person to be entrusted with the custody of other delinquents.

When Ratcliffe was thus placed in a confidential situation, he was repeatedly applied to by the sapient Saddletree and others, who took some interest in the Deans' family, to procure an interview between the sisters; but the magistrates, who were extremely anxious for the apprehension of Robertson, had given strict orders to the contrary, hoping that, by keeping them separate, they might, from the one or the other, extract some information respecting that fugitive. On this subject Jeanie had nothing to tell them: She informed Mr Middleburgh, that she knew nothing of Robertson, except having met him that night by appointment to give her

some advice respecting her sister's concern, the purport of which, she said, was betwixt God and her conscience. Of his motions, purposes, or plans, past, present, or future, she knew nothing, and so had nothing to communicate.

Effie was equally silent, though from a different cause. It was in vain that they offered a commutation and alleviation of her punishment, and even a free pardon, if she would confess what she knew of her lover. She answered only with tears; unless, when driven into pettish sulkiness by the persecution of the interrogators, she made them abrupt and disrespectful answers.

At length, after her trial had been delayed for many weeks, in hopes she might be induced to speak out on a subject infinitely more interesting to the magistracy than her own guilt and innocence, their patience was worn out, and even Mr Middleburgh finding no ear lent to further intercession in her behalf, the day was fixed for the trial to proceed.

It was now, and not sooner, that Sharpitlaw, recollecting his promise to Effie Deans, or rather being dinned into compliance by the unceasing remonstrances of Mrs Saddletree, who was his next door neighbour, and who declared it was heathen cruelty to keep the twa broken-hearted creatures separate, issued the important mandate, permitting them to see each other.

On the evening which preceded the eventful day of trial. Jeanie was permitted to see her sister — an awful interview, and occurring at a most distressing crisis. This, however, formed a part of the bitter cup which she was doomed to drink, to atone for crimes and follies to which she had no accession; and at twelve o'clock noon, being the time appointed for admission to the jail, she went to meet, for the first time for several months, her guilty, erring, and most miserable sister, in that abode of guilt, error, and utter misery.

CHAPTER XX.

— — — *Sweet sister, let me live;
What sin you do to save a brother's life,
Nature dispenses with the deed so far,
That it becomes a virtue.*

Measure for Measure.

JEANIE DEANS was admitted into the jail by Ratcliffe. This fellow, as void of shame as of honesty, as he opened the now trebly secured door, asked her, with a leer which made her shudder, «whether she remembered him?»

A half-pronounced and timid «No,» was her answer.

«What! not remember moonlight, and Muschat's Cairn, and Rob and Rat?» said he, with the same sneer; — «Your memory needs redding up, my jo.»

If Jeanie's distresses had admitted of aggravation, it must have been to find her sister under the charge of such a profligate as this man. He was not, indeed, without something of good to balance so much that was evil in his character and habits. In his misdemeanours he had never been blood-thirsty or cruel; and in his present occupation, he had shown himself, in a certain degree, accessible to touches of humanity. But these good qualities were unknown to Jeanie, who, remembering the scene at Muschat's Cairn, could scarce find voice to acquaint him, that she had an order from Baillie Middleburgh, permitting her to see her sister.

"I ken that fu' weel, my bonnie doo; mair by token, I have a special charge to stay in the ward with you a' the time ye are thegither."

"Must that be sae?" asked Jeanie, with an imploring voice.

"Hout, ay, hinny," replied the turnkey; "and what the waur will you and your titty be of Jim Ratcliffe hearing what ye hae to say to ilk other? — De'il a word ye'll say that will gar him ken your kittle sex better than he kens them already; and another thing is, that if ye dinna speak o' breaking the Tolbooth, de'il a word will I tell ower, either to do ye good or ill."

Thus saying, Ratcliffe marshalled her the way to the apartment where Effie was confined.

Shame, fear, and grief, had contended for mastery in the poor prisoner's bosom during the whole morning, while she had looked forward to this meeting; but when the door opened, all gave way to a confused and strange feeling that had a tinge of joy in it, as, throwing herself on her sister's neck, she ejaculated, "My dear Jeanie! — my dear Jeanie! it's lang since I hae seen ye." Jeanie returned the embrace with an earnestness that partook almost of rapture, but it was only a flitting emotion, like a sun-beam unexpectedly penetrating betwixt the clouds of a tempest, and obscured almost as soon as visible. The sisters walked together to the side of the pallet bed, and sate down side by side, took hold of each others hands, and looked each other in the face, but without speaking a word. In this posture the remained for a minute, while the gleam of joy gradually faded from their features, and gave way to the most intense expression, first of melancholy, and then of agony, till, throwing themselves again into each others arms, they, to use the language of Scripture, lifted up their voices and wept bitterly.

Even the hard-hearted turnkey, who had spent his life in scenes calculated to stifle both conscience and feeling, could not witness this

scene without a touch of human sympathy. It was shown in a trifling action, but which had more delicacy in it than seemed to belong to Ratcliffe's character and station. The unglazed window of the miserable chamber was open, and the beams of a bright sun fell right upon the bed where the sufferers were seated. With a gentleness that had something of reverence in it, Ratcliffe partly closed the shutter, and seemed thus to throw a veil over a scene so sorrowful.

“Ye are ill, Effie,” were the first words Jeanie could utter, “ye are very ill.”

“O what wad I gi’e to be ten times waur, Jeanie,” was the reply — “what wad I gi’e to be cauld dead afore the ten o’clock bell the morn! And our father — but I amna his bairn langer now — O I hae nae friend left in the world! — O that I were lying dead at my mothers side, in Newbattle Kirk-yard!”

“Hout, lassie,” said Ratcliffe, willing to show the interest which he absolutely felt, “dinna be sae dooms down-hearted as a’ that; there’s mony a tod hunted that’s no killed. Advocate Lang-tale has brought folk through waur snappers than a’ this, and there’s no a cleverer agent than Nichel Novit e’er drew a bill of suspension. Hanged or unhanged, they are weel aff has sic an agent and counsel; ane’s sure o’ fair play. Ye

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are a bonny lass too, an' ye wad busk up your cockernonie a bit; and a bonny lass will find favour wi' judge and jury, when they would strap up a grewsome carle like me for the fifteenth part of a flea's hide and tallow, d—n them."

To this homely strain of consolation the mourners returned no answer; indeed, they were so much lost in their own sorrows as to have become insensible of Ratcliffe's presence. "O Effie," said her elder sister, "how could you conceal your situation from me! O, woman, had I deserved this at your hand? — had ye spoke but ae word — sorry we might hae been, and shamed we might hae been, but this awfu' dispensation had never come ower us."

"And what gude wad that hae dune?" answered the prisoner. "Na, na, Jeanie, a' was ower when ance I forgot what I promised when I faulded down the leaf of my Bible. See," she said, producing the sacred volume, "the book opens aye at the place o' itsell. O see, Jeanie, what a fearfu' scripture!"

Jeanie took her sister's Bible, and found that the fatal mark was made at this impressive text in the Book of Job: "He hath stripped me of my glory, and taken the crown from my head. He hath destroyed me on every side, and I am

gone. And mine hope hath he removed like a tree."

Isna that ower true a doctrine?" said the prisoner — "Isna my crown, my honour removed? And what am I but a poor wasted wanthriven tree, dug up by the roots, and flung out to waste in the highway, that man and beast may tread it under foot? I thought o' the bonny bit thorn that our father rooted out o' the yard last May, when it had a' the flush o' blossoms on it, and then it lay in the court till the beasts had trod them a' pieces wi' their feet. I little thought, when I was wae for the bit silly green bush and its flowers, that I was to gang the same gate mysell."

"O, if ye had spoken a word," again sobbed Jeanie, — "if I were free to swear that ye had said but ae word of how it stude wi' ye' they couldna hae touched your life this day."

"Could they na?" said Effie, with something like awakened interest — for life is dear even to those who feel it as a burthen — "Wha tauld ye that, Jeanie?"

"It was ane that kenned what he was saying weel aneugh," replied Jeanie, who had a natural reluctance at mentioning even the name of her sister's seducer.

“Wha was it? — I conjure ye to tell me,” said Effie, seating herself upright. — “Wha could tak interest in sic a cast-bye as I am now? — Was it — was it *him*?”

“Hout,” said Ratcliffe, “what signifies keeping the poor lassie in a swither? — I’se uphaud it’s been Robertson that learned ye that doctrine when ye saw him at Muschat’s Cairn.”

“Was it him?” said Effie, catching eagerly at his words — “was it him, Jeanie, indeed? — O, I see it was him — poor lad, and I was thinking his heart was as hard as the nether millstane — and him in sic danger on his ain part — poor George!”

Somewhat indignant at this burst of tender feeling towards the author of her misery, Jeanie could not help exclaiming, “O, Effie, how can ye speak that gate of sic a man as that?”

“We maun forgi’e our enemies, ye ken,” said poor Effie, with a timid look and a subdued voice, for her conscience told her what a different character the feelings with which she still regarded her seducer bore, compared with the Christian charity under which she attempted to veil it.

“And ye hae suffered a’ this for him, and ye can think of loving him still?” said her sister, in a voice betwixt pity and blame.

“Love him?” answered Effie — “If I had na loved as woman seldom loves, I hadna been within these wa’s this day, and trow ye, that love sic as mine is lightly forgotten? — Na, na — ye may hew down the tree, but ye canna change its bend — And O, Jeanie, if ye wad do good to me at this moment, tell me every word that he said, and whether he was sorry for poor Effie or no.”

“What needs I tell ye ony thing about it,” said Jeanie. “Ye may be sure he had ower muckle to do to save himsell, to speak lang or muckle about ony body beside.”

“That’s no true, Jeanie, though a saunt had said it,” replied Effie, with a sparkle of her former lively and irritable temper. “But ye dinna ken, though I do, how far he pat his life in venture to save mine.” And looking at Ratcliffe, she checked herself and was silent.

“I fancy,” said Ratcliffe, with one of his familiar sneers, “the lassie thinks that naebody has een but hersell — Didna I see when Gentle Geordie was seeking to get other folk out of the Tolbooth forbye Jock Porteous? but ye are of my mind, hinny — better sit and rue, than flit and rue — Ye needna look in my face sae amazed. I ken mair things than that maybe.”

“O my God! my God!” said Effie, springing up and throwing herself down on her knees be-

fore him — «D'ye ken whare they hae putten my bairn? — O my bairn! my bairn! the poor sackless innocent new-born wee ane — bone of my bone, and flesh of my flesh! — O, man, if ye wad e'er deserve a portion in Heaven, or a broken-hearted creature's blessing upon earth, tell me whare they hae put my bairn — the sign of my shame, and the partner of my suffering! tell me wha has ta'en't away, or what they ha'e dune wi't!»

«Hout tout,» said the turnkey, endeavouring to extricate himself from the firm grasp with which she held him, «that's taking me at my word wi' a witness — Bairn, quo' she? How the de'il suld I ken ony thing of your bairn, huzzy? Ye maun ask that at auld Meg Murdockson, if ye dinna ken ower muckle about it yoursell.»

As his answer destroyed the wild and vague hope which had suddenly gleamed upon her, the unhappy prisoner let go her hold of his coat, and fell with her face on the pavement of the apartment in a strong convulsion fit.

Jeanie Deans possessed, with her excellently clear understanding, the concomitant advantage of promptitude of spirit, even in the extremity of distress.

She did not suffer herself to be overcome by her own feelings of exquisite sorrow, but instantly applied herself to her sister's relief, with

the readiest remedies which circumstances afforded; and which, to do Ratcliffe justice, he showed himself anxious to suggest, and alert in procuring. He had even the delicacy to withdraw to the farthest corner of the room, so as to render his official attendance upon them as little intrusive as possible, when Effie was composed enough again to resume her conference with her sister.

The prisoner once more, in the most earnest and broken tones, conjured Jeanie to tell her the particulars of the conference with Robertson, and Jeanie felt it was impossible to refuse her this gratification.

“Do ye mind,” she said, “Effie, when ye were in the fever before we left Woodend, and how angry your mother, that’s now in a better place, was at me for gi’eing ye milk and water to drink, because ye grat for it? Ye were a bairn then, and ye are a woman now, and should ken better than ask what canna but hurt you — But come weal or woe, I canna refuse ye ony thing that ye ask me wi’ the tear in your ee.”

Again Effie threw herself into her arms, and kissed her cheek and forehead, murmuring, “O, if ye kenn’d how lang it is since I heard his name mentioned, — if ye but kenn’d how muckle good it does me bnt to ken ony thing o’ him,

that's like goodness or kindness, ye wadna wonder that I wish to hear o' him."

Jeanie sighed, and commenced her narrative of all that had passed betwixt Robertson and her, making it at the first as brief as possible. Effie listened in breathless anxiety, holding her sister's hand in hers, and keeping her eye fixed upon her face, as if devouring every word she uttered. The interjections of "Poor fellow," — "Poor George," which escaped in whispers, and betwixt sighs, were the only sounds with which she interrupted the story. When it was finished she made a long pause.

"And this was his advice?" were the first words she uttered.

"Just sic as I hae tell'd ye," replied her sister.

"And he wanted you to say something to yon folks, that wad save my young life?"

"He wanted," answered Jeanie, "that I suld be mansworn."

"And you tauld him," said Effie, "that ye wadna hear o' coming between me and the death that I am to die, and me no aughteen year auld yet?"

"I told him," replied Jeanie, who now trembled at the turn which her sister's reflections seemed about to take, "that I dared na swear to an untruth."

«And what d'ye ca' an untruth?» said Effie, again showing a touch of her former spirit — «Ye are muckle to blame, lass, if ye think a mother would, or could, murder her ain bairn — Murder? — I wad hae laid down my life just to see a blink o' its ee.»

«I do believe,” said Jeanie, «that ye are as innocent of sic a purpose as the new-born babe itsell.»

«I am glad ye do me that justice,” said Effie, haughtily; «it's whiles the faut of very good folk like you, Jeanie, that they think a' the rest of the world are as bad as the warst temptations can make them.»

«I dinna deserve this frae ye, Effie,” said her sister, sobbing, and feeling at once the injustice of the reproach, and compassion for the state of mind which dictated it.

«Maybe no, sister,” said Effie. «But ye are angry because I love Robertson — How can I help loving him, that loves me better than body and soul baith? — Here he put his life in a niffer, to break the prison to let me out; and sure am I, had it stood wi' him as it stands wi' you” — here she paused and was silent.

«O, if it stude wi' me to save ye wi' risk of *my* life,” said Jeanie.

«Ay, lass,” said her sister, «that's lightly said, but no sae lightly credited, frae ane that

winna ware a word for me, and if it be a wrang word, ye'll hae time aneugh to repent o't."

"But that word is a grievous sin, and it's a deeper offence when it's a sin wilfully and presumptuously committed."

"Weel, weel, Jeanie," said Effie, "I mind a' about the sins o' presumption in the questions—we'll speak nae mair about this matter, and ye may save your breath to say your carritch; and for me, I'll soon hae nae breath to waste on ony body."

"I must needs say," interposed Ratcliffe, "that it's d—d hard, that when three words of your mouth would give the girl the chance to nick Moll Blood,* that you mak such scrupling about rapping** to them. D—n me, if they would take me, if I would not rap to all What-d'yecallum's fabbs for her life—I am us'd to't, b—t me, for less matters. Why, I have smacked calf-skin*** fifty times in England for a keg of brandy."

"Never speak mair o't," said the prisoner. "It's just as weel as it is—and gude day, sister; ye keep Mr Ratcliffe waiting on—Ye'll come

* The Gallows.

** Swearing.

*** Kissed the book.

back and see me I reckon, before" — here she stopped, and became deadly pale.

"And are we to part in this way," said Jeanie, "and you in sic deadly peril? O Effie, look but up, and say what ye wad hae me do, and I could find in my heart amaist to say that I wad do't."

"No, Jeanie," replied her sister, after an effort, "I am better minded now. At my best, I was never half sae gude as ye were, and what for suld you begin to mak yoursell waur to save me, now that I am na worth saving? God knows, that, in my sober mind, I wadna wuss ony living creature to do a wrang thing to save my life. I might have fled frae this tolbooth on that awfu' night wi' ane wad hae carried me through the world, and friended me, and fended for me. But I said to them, let life gang when gude fame is gane before it. But this lang imprisonment has broken my spirit, and I am whiles sair left to mysell, and then I wad gi'e the Indian mines of gold and diamonds, just for life and breath — for I think, Jeanie, I have such roving fits as I used to hae in the fever; but, instead of the fiery een, and wolves, and Widow Butler's bull-segg, that I used to see spieling up on my bed, I am thinking now about a high black gibbet, and me standing up, and such seas

of faces all looking up at poor Effie Deans, and asking if it be her that George Robertson used to call the Lily of St Leonard's — And then they stretch out their faces, and make mouths, and girn at me, and which ever way I look, I see a face laughing like Meg Murdockson, when she tauld me I had seen the last of my wean. God preserve us, Jeanie, that carline has a fearsome face." She clapped her hands before her eyes as she uttered this exclamation, as if to secure herself against seeing the fearful object she had alluded to.

Jeanie Deans remained with her sister for two hours, during which she endeavoured, if possible, to extract something from her that might be serviceable in her exculpation. But she had nothing to say beyond what she had declared on her first examination, with the purport of which the reader will be made acquainted in proper time and place. "They wadna believe her," she said, "and she had naething mair to tell them."

At length Ratcliffe, though reluctantly, informed the sisters that there was a necessity that they should part. "Mr Novit," he said, "was to see the prisoner, and maybe Mr Langtale too. — Langtale likes to look at a bonny lass, whether in prison or out o' prison."

Reluctantly, therefore, and slowly, after many a tear, and many an embrace, Jeanie retired from the apartment, and heard its jarring bolts turned upon the dear being from whom she was separated. Somewhat familiarized now even with her rude conductor, she offered him a small present in money, with a request he would do what he could for her sister's accommodation. To her surprise he declined the fee. "I wasna bloody when I was on the pad," he said, "and I winna be greedy — that is, beyond what's right and reasonable, — now that I am in the look. — Keep the siller; and for civility, your sister sall hae sic as I can bestow; but I hope you'll think better on it, and rap an oath for her — de'il a hair ill there is in it, if ye are rapping again the crown. I kenn'd a worthy minister, as gude a man, bating the deed they deposed him for, as ever ye heard claver in a pulpit, that rapped to a hogshead of pigtail tobacco, just for as muckle as filled his spleuchan. But maybe ye are keeping your ain council — weel, weel, there's nae harm in that. — As for your sister, I'se see that she gets her meat clean and warm, and I'll try to gar her lie down and take a sleep after dinner, for de'il a ee she'll close the night. — I hae gude experience of these matters. The first night is aye the warst o't. I hae never heard o' ane that sleepit the night afore

trial, but of mony a ane that sleepit as sound as
 a tap the night before their necks were straught-
 ed. And it's nae wonder — the warst may be
 tholed when it's kenn'd — Better a finger aff
 as aye wagging.

CHAPTER XXI.

*Yet though thou may'st be dragg'd in scorn
To yonder ignominious tree,
Thou shalt not want one faithful friend
To share the cruel fates' decree.*

JEMMY DAWSON.

AFTER spending the greater part of the morning in his devotions, for his benevolent neighbours had kindly insisted upon discharging his task of ordinary labour, David Deans entered the apartment when the breakfast meal was prepared. His eyes were involuntarily cast down, for he was afraid to look at Jeanie, uncertain as he was whether she might feel herself at liberty, with a good conscience, to attend the Court of Justiciary that day, to give the evidence which he understood that she possessed, in order to her

sister's exculpation. At length, after a minute of apprehensive hesitation, he looked at her dress to discover whether it seemed to be in her contemplation to go abroad that morning. Her apparel was neat and plain, but such as conveyed no exact intimation of her intentions to go abroad. She had exchanged her usual garb for morning labour, for one something inferior to that with which, as her best, she was wont to dress herself for church, or any more rare occasion of going into society. Her sense taught her, that it was respectful to be decent in her apparel on such an occasion, while her feelings induced her to lay aside the use of the very few and simple personal ornaments, which, on other occasions, she permitted herself to wear. So that there occurred nothing in her external appearance which could mark out to her father, with any thing like certainty, her intentions on this occasion.

The preparations for their humble meal were that morning made in vain. The father and daughter sate, each assuming the appearance of eating, when the other's eyes were turned to them, and desisting from the effort with disgust, when the affectionate imposture seemed no longer necessary.

At length these moments of constraint were removed. The sound of St Giles' heavy toll an-

nounced the hour previous to the commencement of the trial; Jeanie arose, and, with a degree of composure for which she herself could not account, assumed her plaid, and made her other preparations for a distant walking. It was a strange contrast between the firmness of her demeanour, and the vacillation and cruel uncertainty of purpose indicated in all her father's motions; and one unacquainted with both could scarcely have supposed that the former was, in her ordinary habits of life, a docile, quiet, gentle, and even timid country-maiden, while her father, with a mind naturally proud and strong, and supported by religious opinions, of a stern, stoical, and unyielding character, had in his time undergone and withstood the most severe hardships, and the most imminent peril, without depression of spirit, or subjugation of his constancy. The secret of this difference was, that Jeanie's mind had already anticipated the line of conduct which she must adopt, with all its natural and necessary consequences; while her father, ignorant of every other circumstance, tormented himself with imagining what the one sister might say or swear, or what effect her testimony might have upon the awful event of the trial.

He watched his daughter, with a faltering and indecisive look, until she looked back upon

him, with a look of unutterable anguish, as she was about to leave the apartment.

«My dear lassie,» said he, «I will» — His action, hastily and confusedly searching for his worsted *mittans* and staff, showed his purpose of accompanying her, though his tongue failed distinctly to announce it.

«Father,» said Jeanie, replying rather to his action than his words, «ye had better not.»

«In the strength of my God,» answered Deans, assuming firmness, «I will go forth.»

«And, taking his daughter's arm under his, he began to walk from the door with a step so hasty, that she was almost unable to keep up with him. A trifling circumstance, but which marked the perturbed state of his mind, checked his course, — «Your bonnet, father?» said Jeanie, who observed he had come out with his grey hairs uncovered. He turned back with something like a blush on his cheek, as if ashamed to have been detected in an omission which indicated so much mental confusion, assumed his large blue Scottish bonnet, and with a step slower, but more composed, as if the circumstance had obliged him to summon up his resolution, and collect his scattered ideas, again

placed his daughter's arm under his, and resumed the way to Edinburgh.

The courts of justice were then, and are still held, in what is called the Parliament Close, or, according to modern phrase, the Parliament Square, and occupied the buildings intended for the accommodation of the Scottish Estates. This edifice, though in an imperfect and corrupted style of architecture, had then a grave, decent, and, as it were, a judicial aspect, which was at least entitled to respect from its antiquity. For which venerable front, I observed, on my last occasional visit to the metropolis, that modern taste had substituted, at great apparent expence, a pile so utterly inconsistent with every monument of antiquity around, and in itself so clumsy at the same time and fantastic, that it may be likened to the decorations of Tom Errand the porter, in the Trip to the Jubilee, when he appears bedizened with the tawdry finery of Beau Clincher. *Sed transeat cum cæteris erroribus.*

The small quadrangle, or Close, if we may presume still to give it that appropriate, though antiquated title, which at Litchfield, Salisbury, and elsewhere, is properly applied to designate the enclosure adjacent to a cathedral, already evinced tokens of the fatal scene which was that day to be acted. The soldiers of the City Guard

were on their posts, now enduring, and now rudely repelling with the butts of their muskets, the motley crew who thrust each other forward, to catch a glance at the unfortunate object of trial, as she should pass from the adjacent prison to the Court in which her fate was to be determined. All must have occasionally observed, with disgust, the apathy with which the vulgar gaze on scenes of this nature, and how seldom, unless when their sympathies are called forth by some striking and extraordinary circumstance, they evince any interest deeper than that of callous, unthinking bustle, and brutal curiosity. They laugh, jest, quarrel, and push each other to and fro, with the same unfeeling indifference as if they were assembled for some holiday sport, or to see an idle procession. Occasionally, however, this demeanour, so natural to the degraded populace of a large town, is exchanged for a temporary touch of human affections; and so it chanced on the present occasion.

When Deans and his daughter presented themselves in the Close, and endeavoured to make their way forward to the door of the Court-house, they became involved in the mob, and subject, of course, to their insolence. As Deans repelled with some force the rude pushes which he received on all sides, his figure and antiquated

dress caught the attention of the rabble, who often show an intuitive sharpness in ascribing the proper character from external appearance. —

“Ye’re welcome, whigs,
Frae Bothwell briggs,”

sung one fellow, (for the mob of Edinburgh were at that time jacobitically disposed, probably because that was the line of sentiment most diametrically opposite to existing authority.)

“Mess David Williamson,
Chosen of twenty,
Ran up the pu’pit stair,
And sang Killiecrankie,”

chaunted a syren, whose profession might be guessed by her appearance. A tattered cadie, or errand porter, whom David Deans had jostled in his attempt to extricate himself from the vicinity of these scorers, exclaimed in a strong north-country tone, “Ta de’il ding out her Cameronian een — what gi’es her titles to dunch gentlemans about?”

“Make room for the ruling elder,” said yet another; “he comes to see a precious sister glorify God in the Grassmarket.”

“Whisht; shame’s in ye, sirs,” said the voice of a man very loudly, which, as quickly sinking, said in a low but distinct tone, “It’s her father and sister.”

All fell back to make way for the sufferers; and all, even the very rudest and most profligate, were struck with shame and silence. In the space thus abandoned to them by the mob, Deans stood, holding his daughter by the hand, and said to her, with a countenance strongly and sternly expressive of his internal emotion, “Ye hear with your ears, and ye see with your eyes, where and to whom the backslidings and defections of professors are ascribed by the scoffers. Not to themselves alone, but to the kirk of which they are members, and to its blessed and invisible Head. Then, weel may we take wi’ patience our share and portion of this outspreading reproach.”

The man who had spoken, no other than our old friend Dumbiedikes, whose mouth, like that of the prophet’s ass, had been opened by the emergency of the case, now joined them, and, with his usual taciturnity, escorted them into the Court-house. No opposition was offered to their entrance, either by the guards or doorkeepers; and it is even said, that one of the latter refused a shilling of civility-money, ten-

dered him by the Laird of Dumbiedikes, who was of opinion that „siller wad mak a' easy.” But this last incident wants confirmation.

Admitted within the precincts of the Court-house, they found the usual number of busy officebearers, and idle loiterers, who attend on these scenes by choice, or from duty. Burghers gaped and stared; young lawyers sauntered, sneered, and laughed, as in the pit of the theatre; while others apart sat on a bench retired, and reasoned highly on the doctrines of constructive crime, and the true import of the statute. The bench was prepared for the arrival of the judges: The jurors were in attendance. The crown-counsel, employed in looking over their briefs and notes of evidence, looked grave, and whispered with each other. They occupied one side of a large table placed beneath the bench; on the other sat the advocates, whom the humanity of the Scottish law (in this particular much more liberal than that of her siser country) not only permits, but enjoins, to appear and assist with their advice and skill all persons under trial. Mr Nichel Novit was seen actively instructing the counsel for the pannel, (so the prisoner is called in Scottish law-phraseology,) busy, bustling, and important. When they entered the Court-room, Deans asked the Laird, in a tremulous whisper, „Where will *she* sit?”

Dumbiedikes whispered Novit, who pointed to a vacant space at the bar, fronting the judges, and was about to conduct Deans towards it.

“No!” he said; “I cannot sit by her — I cannot own her — not as yet least — I will keep out of her sight, and turn mine own eyes elsewhere — better for us baith.”

Saddletree, whose repeated interference with the counsel had procured him one or two rebuffs, and a special request that he would concern himself with his own matters, now saw with pleasure an opportunity of playing the person of importance. He hustled up to the poor old man, and proceeded to exhibit his consequence, by securing, through his interest with the bar-keepers and macers, a seat for Deans, in a situation where he was hidden from the general eye by the projecting corner of the bench.

“It’s gude to have a friend at court,” he said, continuing his heartless harangues to the passive auditor, who neither heard nor replied to them: “few folk but mysell could hae sorted ye out a seat like this — the Lords will be here incontinent, and proceed *instanter* to trial. They wunna fence the court as they do at the Circuit — The High Court of Justiciary is aye fenced. — But Lord’s sake, what’s this o’t? — Jeanie, ye are a cited witness — Macer, this lass is a witness —

she maun be inclosed — she maun on nae account be at large. — Mr Novit, suldna Jeanie Deans be inclosed ?”

Novit answered in the affirmative, and offered to conduct Jeanie to the apartment, where, according to the scrupulous practice of the Scottish Court, the witnesses remain in readiness to be called into court to give evidence; and separated, at the same time, from all who might influence their testimony, or give them information concerning that which was passing upon the trial.

“Is this necessary?” said Jeanie, still reluctant to quit her father’s hand.

“A matter of absolute needcessity,” said Saddletree; “wha ever heard of witnesses no being inclosed ?”

“It is really a matter of necessity,” said the younger counsellor, retained for her sister; and Jeanie reluctantly followed the macer of the court to the place appointed.

“This, Mr Deans,” said Saddletree, “is ca’d sequestering a witness; but it’s clean different (whilk maybe ye wadna fund out o’ yoursel) frae sequestering ane’s estate or effects. I hae aften been sequestered as a witness, for the Sheriff is in the use whiles to cry me in to witness the declarations at precognitions, and so is

Mr Sharpitlaw; but I was ne'er like to be sequestered o' land and gudes but ance, and that was lang syne; afore I was married. But whisht whishst! here's the Court coming."

As she spoke, the five Lords of Justiciary, in their long robes of scarlet, faced with white, and preceded by their mace-bearer, entered with their usual formalities, and took their places upon the bench of judgment.

The audience rose to receive them; and the bustle occasioned by their entrance was hardly composed, when a great noise and confusion of persons struggling, and forcibly endeavouring to enter at the doors of the Court-room and of the galleries, announced that the prisoner was about to be placad at the bar. This tumult takes place when the doors, at first only opened to those either having right to be present, or to the better and more qualified ranks, are at length laid open tho all whose curiosity induces them to be present on the occasion. With inflamed countenances and dishevelled dresses, struggling with, and sometimes tumbling over each other, in rushed the rude multitude, while a few soldiers, forming, as it were, the centre of the tide, could scarce, with all their efforts, clear a passage for the prisoner to the place which she was to occupy. By the authority of the Court, and the

exertions of its officers, the tumult among the spectators was at length appeased, and the unhappy girl brought forward, and placed betwixt two centinels with drawn bayonets, as a prisoner at the bar, where she was to abide her deliverance for good or evil, according to the issue of her trial.


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## CHAPTER XXII.

*We have strict statutes, and most biting laws —  
The needful bits, and curbs for headstrong  
steeds —*

*Which, for these fourteen years, we have let  
sleep,*

*Like to an o'ergrown lion in a cage,  
That goes not out to prey.*

### Measure for Measure.

»EUPHEMIA DEANS,» said the presiding Judge in an accent in which pity was blended with dignity, «stand up, and listen to the criminal indictment now to be preferred against you.»

The unhappy girl, who had been stupified by the confusion through which the guards had forced a passage, cast a bewildered look on the multitude of faces around her, which seemed to tapestry, as it were, the walls, in one broad slope from the ceiling to the floor, with human



countenances, and instinctively obeyed a command, which rung in her ears like the trumpet of the judgment-day.

“Put back your hair, Effie,” said one of the macers. For her beautiful and abundant tresses of long fair hair, which, according to the costume of the country, unmarried women were not allowed to cover with any sort of cap, and which, alas! Effie dared no longer confine with the snood or ribband, which implied purity of maiden-fame, now hung unbound and dishevelled over her face, and almost concealed her features. On receiving this hint from the attendant, the unfortunate young woman, with a hasty, trembling, and apparently mechanical compliance, shaded back from her face her luxuriant locks, and showed to the whole court, excepting one individual, a countenance, which, though pale and emaciated, was so lovely amid its agony, that it called forth an universal murmur of compassion and sympathy. Apparently the expressive sound of human feeling recalled the poor girl from the stupor of fear, which predominated at first over every other sensation, and awakened her to the no less painful sense of shame and exposure attached to her present situation. Her eye, which had at first glanced wildly around, was turned on the ground; her cheek, at first so



deadly pale, began gradually to be overspread with a faint blush, which increased so fast, that, when in agony of shame she strove to conceal her face, her temples, her brow, her neck, and all that her slender fingers and small palms could not cover, became of the deepest crimson.

All marked and were moved by these changes, excepting one. It was old Deans, who, motionless in his seat, and concealed, as we have said, by the corner of the bench, from seeing or being seen, did nevertheless keep his eyes firmly fixed on the ground, as if determined that, by no possibility whatsoever, would he be an ocular witness of the shame of his house.

“Ichabod!” he said to himself — “Ichabod! my glory is departed.”

While these reflections were passing through his mind, the indictment, which set forth in technical form the crime of which the pannel stood accused, was read as usual, and the prisoner was asked if she was Guilty, or Not Guilty.

“Not guilty of my poor bairn’s death,” said Effie Deans, in an accent corresponding in plaintive softness of tone to the beauty of her features, and which was not heard by the audience without emotion.

The Court next directed the counsel to plead to the relevancy; that is, to state on either part



the arguments in point of law, and evidence in point of fact, against and in favour of the criminal; after which it is the form of the Court to pronounce a preliminary judgment, sending the cause to the cognizance of the jury or assize.

The counsel for the crown briefly stated the frequency of the crime of infanticide, which had given rise to the special statute under which the pannel stood indicted. He mentioned the various instances, many of them marked with circumstances of atrocity, which had at length induced the King's Advocate, though with great reluctance, to make the experiment, whether by strictly enforcing the Act of Parliament which had been made to prevent such enormities, their occurrence might be prevented. "He expected," he said, "to be able to establish by witnesses, as well as by the declaration of the pannel herself, that she was in the state described by the statute. According to his information, the pannel had communicated her pregnancy to no one, nor did she allege in her own declaration that she had done so. This secrecy was the first requisite in support of the indictment. The same declaration admitted, that she had borne a male child, in circumstances which gave but too much reason to believe it had died by the hands, or at least with the knowledge or consent, of the



unhappy mother. It was not, however, necessary for him to bring positive proof that the pannel was accessory to the murther, nay, nor even to prove that the child was murthered at all. It was sufficient to support the indictment, that it could not be found. According to the stern, but necessary severity of this statute, she who should conceal her pregnancy, who should omit to call that assistance which is most necessary on such occasions, was held already to have meditated the death of her offspring, as an event most likely to be the consequence of her culpable and cruel concealment. And if, under such circumstances, she could not alternatively show by proof that the infant had died a natural death, or produce it still in life, she must, under the construction of the law, be held to have murthered it, and suffer death accordingly."

The counsel for the prisoner, a man of considerable fame in his profession, did not pretend directly to combat the arguments of the King's Advocate. "It was enough for their Lordships," he observed, "to know, that such was the law, and he admitted the Advocate had a right to call for the usual interlocutor of relevancy." But he stated, "that when he came to establish his case by proof, he trusted to make out circumstances which would satisfactorily elide the



charge in the libel. His client's story was a short, but most melancholy one. She was bred up in the strictest tenets of religion and virtue, the daughter of a worthy and conscientious person, who, in evil times, had established a character for courage and religion, by becoming a sufferer for conscience-sake."

David Deans gave a convulsive start at hearing himself thus mentioned, and then resumed the situation, in which, with his face stooped against his hands, and both resting against the corner of the elevated bench on which the Judges sate, he had hitherto listened to the procedure in the trial. The whig lawyers seemed to be intesested; the tories put up their lip.

"Whatever may be our difference of opinion," resumed the lawyer, whose business it was to carry his whole audience with him if possible, "concerning the peculiar tenets of these people," (here Deans groaned deeply,) "it is impossible to deny them the praise of sound, and even rigid morals, or the merit of training up their children in the fear of God; and yet it was the daughter of such a person whom a jury would shortly be called upon, in the absence of evidence, and upon mere presumptions, to convict of a crime, more properly belonging to an heathen, or a savage, than to a Christian and civilized



country. It was true," he admitted, "that the excellent nurture and early instruction which the poor girl had received, had not been sufficient to preserve her from guilt and error. She had fallen a sacrifice to an inconsiderate affection for a young man of prepossessing manners, as he had been informed, but of a very dangerous and desperate character. She was seduced under promise of marriage — a promise, which the fellow might have, perhaps, done her justice by keeping, had he not at that time been called upon by the law to atone for a crime, violent and desperate in itself, but which became the preface to another eventful history, every step of which was marked by blood and guilt, and the final termination of which had not even yet arrived. He believed that no one would hear him without surprise, when he stated that the father of this infant now amissing, and said by the learned Advocate to have been murdered, was no other than the notorious George Robertson, the accomplice of Wilson, the hero of the memorable escape from the Tolbooth Church, and, as no one knew better than his learned friend the Advocate, the principal actor in the Porteous conspiracy." —

"I am sorry to interrupt a counsel in such a case as the present," said the presiding Judge;



“but I must remind the learned gentleman, that he is travelling out of the case before us.”

The counsel bowed, and resumed. “He only judged it necessary,” he said, “to mention the name and situation of Robertson, because the circumstance in which that character was placed, went a great way in accounting for the silence on which his Majesty’s counsel had laid so much weight, as affording proof that his client proposed to allow no fair play for its life, to the helpless being whom she was about to bring into the world. She had not announced to her friends that she had been seduced from the path of honour — and why had she not done so? — Because she expected daily to be restored to character, by her seducer doing her that justice which she knew to be in his power, and believed to be in his inclination. Was it natural — was it reasonable — was it fair, to expect that she should, in the interim, become *felo de se* of her own character, and proclaim her frailty to the world, when she had every reason to expect, that, by concealing it for a season, it might be veiled for ever? Was it not, on the contrary, pardonable, that, in such an emergency, a young woman, in such a situation, should be found far from disposed to make a confidante of every prying gossip, who, with sharp eyes, and eager ears, pressed



upon her for an explanation of suspicious circumstances, which females in the lower — he might say which females of all ranks are so alert in noticing, that they sometimes discover them where they do not exist? Was it strange, or was it criminal, that she should have repelled their inquisitive impertinence, with petulant denials? The sense and feeling of all who heard him would answer directly in the negative. But although his client had thus remained silent towards those to whom she was not called upon to communicate her situation, — to whom," said the learned gentleman, "I will add, it would have been unadvised and improper to her to have done so; yet, I trust, I shall remove this case most triumphantly from under the statute, and obtain the unfortunate young woman an honourable dismissal from your Lordships' bar, by showing that she did, in due time and place, and to a person most fit for such confidence, mention the calamitous circumstances in which she found herself. This occurred after Robertson's conviction, and when he was lying in prison in expectation of the fate which his comrade Wilson afterwards suffered, and from which he himself so strangely escaped. It was then, when all hopes of having her honour repaired by wedlock vanished from her eyes — when an union with one in Robertson's situation, if still



practicable, might, perhaps, have been regarded rather as an addition to her disgrace — it was *then*, that I trust to be able to prove that the prisoner communicated and consulted with her sister, a young woman several years older than herself, the daughter of her father, if I mistake not, by a former marriage, upon the perils and distress of her unhappy situation.”

“If, indeed, you are able to instruct *that* point, Mr Fairbrother,” said the presiding Judge —

“If I am indeed able to instruct that point, my Lord,” resumed Mr Fairbrother, “I trust not only to serve my client, but to relieve your Lordships from that which I know you feel the most painful duty of your high office; and to give all who now hear me the exquisite pleasure of beholding a creature so young, so ingenuous, and so beautiful, as she that is now at the bar of your Lordships’ Court, dismissed from thence in safety and in honour.”

This address seemed to affect many of the audience, and was followed by a slight murmur of applause. Deans, as he heard his daughter’s beauty and innocent appearance appealed to, was involuntarily about to turn his eyes towards her; but, recollecting himself, he bent them again on the ground with stubborn resolution.



“Will not my learned brother, on the other side of the bar,” continued the advocate, after a short pause, “share in this general joy, since I know, while he discharges his duty in bringing an accused person here, no one rejoices more in her being freely and honourably sent hence? My learned brother shakes his head doubtfully, and lays his hand on the pannel’s declaration. I understand him perfectly — he would insinuate that the facts now stated to your Lordships are inconsistent with the confession of Euphemia Deans herself. I need not remind your Lordships, that her present defence is no whit to be narrowed within the bounds of her former confession; and that it is not by any account which she may formerly have given of herself, but by what is now to be proved for or against her, that she must ultimately stand or fall. I am not under the necessity of accounting for her chusing to drop out of her declaration the circumstances of her confession to her sister. She might not be aware of its importance; she might be afraid of implicating her sister; she might even have forgotten the circumstance entirely, in the terror and distress of mind incidental to the arrest of so young a creature on a charge so heinous. Any of these reasons are sufficient to account for her having suppressed the truth in this instance, at what-



ever risk to herself; and I incline most to her erroneous fear of criminating her sister, because I observe she has had a similar tenderness towards her lover, (however undeserved on his part,) and has never once mentioned Robertson's name from beginning to end of her declaration.

“But, my Lords,” continued Fairbrother, “I am aware the King's Advocate will expect me to show, that the proof I offer is consistent with other circumstances of the case, which I do not and cannot deny. He will demand of me how Effie Deans's confession to her sister, previous to her delivery, is reconcileable with the mystery of the birth, — with the disappearance, perhaps the murder, (for I will not deny a possibility which I cannot disprove,) of the infant. My Lords, the explanation of this is to be found in the placability, perchance, I may say, in the facility and pliability, of the female sex. The *dulcis Amaryllidis irae*, as your Lordships well know, are easily appeased; nor is it possible to conceive a woman so atrociously offended by the man whom she has loved, but what she will retain a fund of forgiveness, upon which his penitence, whether real or affected, may draw largely, with a certainty that his bills will be answered. We can prove, by a letter produced in evidence, that this villain Robertson, from



the bottom of the dungeon whence he already probably meditated the escape, which he afterwards accomplished by the assistance of his comrade, contrived to exercise authority over the mind, and to direct the motions, of this unhappy girl. It was in compliance with his injunctions, expressed in that letter, that the pannel was prevailed upon to alter the line of conduct which her own better thoughts had suggested; and, instead of resorting, when her time of travail approached, to the protection of her own family, was induced to confide herself to the charge of some vile agent of this nefarious seducer, and by her conducted to one of these solitary and secret purlieus of villany, which, to the shame of our police, still are suffered to exist in the suburbs of this city, where, with the assistance, and under the charge of a person of her own sex, she bore a male-child, under circumstances which added treble bitterness to the woe denounced against our original mother. What purpose Robertson had in all this, it is hard to tell or even to guess. He may have meant to marry the girl, for her father is a man of substance. But, for the termination of the story, and the conduct of the woman whom he had placed about the person of Euphemia Deans, it is still more difficult to account. The unfortunate young woman was visited by the fever



incidental to her situation. In this fever she appears to have been deceived by the person that waited on her, and, on recovering her senses, she found that she was childless in that abode of misery. Her infant had been carried off, perhaps for the worst purposes by the wretch that waited on her. It may have been murdered for what I can tell."

He was here interrupted by a piercing shriek, uttered by the unfortunate prisoner. She was with difficulty brought to compose herself. Her counsel availed himself of the tragical interruption, to close his pleading with effect.

"My Lords," said he, "in that piteous cry you heard the eloquence of maternal affection, far surpassing the force of my poor words — Rachael weeping for her children! Nature herself bears testimony in favour of the tenderness and acuteness of the prisoner's parental feelings. I will not dishonour her plea by adding a word more."

"Heard ye ever the like o' that, Laird?" said Saddletree to Dumbiedikes, when the Counsel had ended his speech. "There's a chield can spin a muckle pirn out of a wee tait of tow! De'il haet he kens mair about it than what's in the declaration, and a surmise that Jeanie Deans suld hae been able to say something about her sister's situation, whilk surmise, Mr Crossmyloof



says, rests on sma' authority' — And he's cleckit this great muckle bird out o' this wee egg! He could wile the very flounders out o' the Firth. — What garr'd my father no send me to Utrecht? — But whisht, the Court is gaun to pronounce the interlocutor of relevancy."

And accordingly the Judges, after a few words, recorded their judgment, which bore, that the indictment, if proved, was relevant to infer the pains of law: And that the defence, that the pannel had communicated her situation to her sister, was a relevant defence: And, finally, appointed the said indictment and defence to be submitted to the judgment of an assize.



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## CHAPTER XXIII.

*Most righteous judge! a sentence. — Come, prepare.*

*Merchant of Venice.*

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It is by no means my intention to describe minutely the forms of a Scottish criminal trial, nor am I sure that I could draw up an account so intelligible and accurate as to abide the criticism of the gentlemen of the long robe. It is enough to say that the jury was impannelled, and the case proceeded. The prisoner was again required to plead to the charge, and she again replied, "Not Guilty," in the same heart thrilling tone as before.

The crown counsel then called two or three female witnesses, by whose testimony it was established, that Effie's situation had been remarked by them, that they had taxed her with the fact, and that her answers had amounted to



an angry and petulant denial of what they charged her with. But, as very frequently happens, the declaration of the pannel or accused party herself was the evidence which bore hardest upon her case.

In case these Tales should ever find their way across the Border, it may be proper to apprise the southern reader that it is the practice in Scotland, on apprehending a suspected person, to subject him to a judicial examination before a magistrate. He is not compelled to answer any of the questions asked at him, but may remain silent if he sees it his interest to do so. But whatever answers he chuses to give are formally written down, and being subscribed by himself and the magistrate, are produced against the accused in case of his being brought to trial. It is true, that these declarations are not produced as being in themselves evidence properly so called, but only as *adminicles* of testimony, tending to corroborate what is considered as legal and proper evidence. Notwithstanding this nice distinction, however, introduced by lawyers to reconcile this procedure to their own general rule, that a man cannot be required to bear witness against himself, it nevertheless usually happens that these declarations become the means of condemning the accused, as it were, out of their own mouths. The prisoner, upon these previous



examinations, has indeed the privilege of remaining silent if he pleases, but every man necessarily feels that a refusal to answer natural and pertinent interrogatories, put by judicial authority, is in itself a strong proof of guilt, and will certainly lead to his being committed to prison; and few can renounce the hope of obtaining liberty, by giving some specious account of themselves, and showing apparent frankness in explaining their motives and accounting for their conduct. It, therefore, seldom happens that the prisoner refuses to give a judicial declaration, in which, either by letting out too much of the truth, or by endeavouring to substitute a fictitious story, he almost always exposes himself to suspicion and to contradictions, which weigh heavily in the minds of the jury.

The declaration of Effie Deans was uttered on other principles, and the following is a sketch of its contents, given in the judicial form, in which they may still be found in the Books of Adjournal.

The declarant admitted a criminal intrigue with an individual whose name she desired to conceal. «Being interrogated, what her reason was for secrecy on this point? She declared, that she had no right to blame that person's conduct more than she did her own, and that she was willing to confess her own faults, but not



to say any thing which might criminate the absent. Interrogated, if she confessed her situation to any one, or made any preparation for her confinement? Declares, she did not. And being interrogated, why she forbore to take steps which her situation so peremptorily required? Declares, she was ashamed to tell her friends, and she trusted the person she has mentioned would provide for her and the infant. Interrogated, if he did so? Declares, that he did not do so personally; but that it was not his fault, for that the declarant is convinced he would have laid down his life sooner than the bairn or she had come to harm. Interrogated, what prevented him from keeping his promise? Declares, that it was impossible for him to do so, and declines farther answer to this question. Interrogated, where she was from the period, she left her master, Mr Saddletree's family, until her appearance at her father's, at St Leonard's, the day before she was apprehended? Declares, she does not remember. And, on the interrogatory being repeated, declares, she does not mind muckle about it, for she was very ill. On the question being again repeated, she declares, she will tell the truth, if it should be the undoing of her, so long as she is not asked to tell on other folk; and admits, that she passed that interval of time in the lodging of a woman, an acquaintance of



that person who had wished her to that place to be delivered, and that she was there delivered accordingly of a male child. Interrogated, what was the name of that person? Declares and refuses to answer this question. Interrogated, where she lives? Declares, she has no certainty, for that she was taken to the lodging aforesaid under cloud of night. Interrogated, if the lodging was in the city or suburbs? Declares and refuses to answer that question. Interrogated, whether, when she left the house of Mr Saddle-tree, she went up or down the street? Declares and refuses to answer the question. Interrogated, whether she had ever seen the woman before she was wished to her, as she termed it, by the person whose name she refuses to answer? Declares, and replies, not to her knowledge. Interrogated, whether this woman was introduced to her by the said person verbally, or by word of mouth? Declares, she has no freedom to answer this question. Interrogated, if the child was alive when it was born? Declares, that — God help her and it! — it certainly was alive. Interrogated, if it died a natural death after birth? Declares, not to her knowledge. Interrogated, where it now is? Declares, she would give her right hand to ken, but that she never hopes to see mair than the banes of it. And being interrogated, why she supposes it is now dead? the



declarant wept bitterly, and made no answer. Interrogated, if the woman, in whose lodging she was, seemed to be a fit person to be with her in that situation? Declares, she might be fit enough for skill, but that she was an hard-hearted bad woman. Interrogated, if there was any other person in the lodging excepting themselves two? Declares, that she thinks there was another woman, but her head was so carried with pain of body and trouble of mind, that she minded her very little. Interrogated, when the child was taken away from her? Declared, that she fell in a fever, and was light headed, and when she came to her own mind, the woman told her the bairn was dead; and that the declarant answered, if it was dead it had had foul play. That, thereupon, the woman was very sair on her, and gave her much ill-language, and that the deponent was frightened, and crawled out of the house when her back was turned, and went home to Saint Leonard's Craggs, as well as a woman in her condition dought. Interrogated, why she did not tell her story to her sister and father, and get force to search the house for her child, dead or alive? Declares, it was her purpose to do so, but she had not time. Interrogated, why she conceals the name of the woman, and the place of her abode now? The declarant remained silent for a time, and then said, that



to do so could not repair the skaith that was done, but might be the occasion of more. Interrogated, whether she had herself, at any time, had any purpose of putting away the child by violence? Declares, Never; so might God be merciful to her — and then again declares, Never, when she was in her perfect senses; but what bad thoughts the Enemy might put into her brain when she was out of herself, she cannot answer. And again solemnly interrogated declares, that she would have been drawn with wild horses, rather than have touched the bairn with an unmotherly hand. Interrogated, declares, that among the ill language the woman gave her, she did say sure enough that the declarant had hurt the bairn when she was in the brain-fever; but that the declarant does not believe that she said this from any other cause than to frighten her, and make her be silent. Interrogated, what else the woman said to her? Declares, that when the declarant cried loud for her bairn, and was like to raise the neighbours, the woman threatened her, that they that could stop the wean's skirling would stop her's, if she did not keep a' the lounder. And that this threat, with the manner of the woman, made the declarant conclude, that the bairn's life was gone, and her own in danger, for that the woman was a desperate bad man, as the declarant judged, from the lan-



guage she used. Interrogated, declares, that the fever and delirium were brought on her by hearing bad news, suddenly told to her, but refuses to say what the said news related to. Interrogated, why she does not now communicate these particulars, which might, perhaps, enable the magistrate to ascertain whether the child is living or dead; and requested to observe, that her refusing to do so exposes her own life, and leaves the child in bad hands; as also, that her present refusal to answer on such points, is inconsistent with her alleged intention to make a clean breast to her sister? Declares, that she kens the bairn is now dead, or, if living, there is one that will look after it; that for her own living or dying, she is in God's hands, who knows her innocence of harming her bairn with her will or knowledge; and that she has altered her resolution of speaking out, which she entertained when she left the woman's lodging, on account of a matter which she has since learned, And declares, in general, that she is wearied, and will answer no more questions at this time."

Upon a subsequent examination, Euphemia Deans adhered to the declaration she had formerly made, with this addition, that a paper found in her trunk being shown to her, she admitted that it contained the credentials, in con-



sequence of which she resigned herself to the conduct of the woman at whose lodgings she was delivered of the child. Its tenor ran thus: —

“DEAREST EFFIE,

“I have gotten the means to send to you by a woman who is well qualified to assist you in your approaching streight; she is not what I could wish her, but I cannot do better for you in my present condition. I am obliged to trust to her in this present calamity, for myself and you too. I hope for the best, though I am now in a sore pinch; yet thought is free — I think Handie Andie and I may queer the stifler\* for all that is come and gone. You will be angry for me writing this, to my little Cameronian Lily; but if I can but live to be a comfort to you, and a father to your babie, you will have plenty of time to scold. — Once more let none know your counsel — my life depends on this hag, d—n her — she is both deep and dangerous, but she has more wiles and wit than ever were in a beldame’s head, and has cause to be true to me. Farewell, my Lily — Do not droop

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\* Avoid the gallows.



on my account — in a week I will be your's, or no more my own."

Then followed a postscript. "If they must truss me, I will repent of nothing so much, even at the last hard pinch, as of the injury I have done my Lily."

Effie refused to say from whom she had received this letter, but enough of the story was now known, to ascertain that it came from Robertson; and from the date, it appeared to have been written about the time when Andrew Wilson and he were meditating their first abortive attempt to escape, which miscarried in the manner mentioned in the beginning of this history.

The evidence of the Crown being concluded, the counsel for the prisoner began to lead a proof in her defence. The first witnesses were examined upon the girl's character. All gave her an excellent one, but none with more feeling than worthy Mrs Saddletree, who, with the tears on her cheeks, declared, that she could not have had a higher opinion of Effie Deans, or a more sincere regard for her, if she had been her own daughter. All present gave the honest woman credit for her goodness of heart, excepting her husband, who whispered to Dumbiedikes, "That Nichel Novit of yours is but a raw hand at leading evidence, I'm thinking. What signified his bringing a woman here to snotter and snivel,



and bather their Lordships? He should hae ceeted me, sir, and I should hae gien them sic a screed o' testimony, they should na hae touched a hair o' her head."

"Hadna ye better get up and try't yet?" said the Laird. "I'll mak a sign to Novit."

"Na, na," said Saddletree, "thank ye for naething, neighbour — that would be ultroneous evidence, and I ken what belongs to that; but Nichel Novit suld hae had me ceeted *debito tempore*." And wiping his mouth with his silk handkerchief with great importance, he resumed the port and manner of an edified and intelligent auditor.

Mr Fairbrother now premised, in a few words, "that he meant to bring forward his most important witness, upon whose evidence the cause must in a great measure depend. What his client was, they had learned from the preceding witnesses, and so far as general character, given in the most forcible terms, and even with tears, could interest every one in her fate, she had already gained that advantage. It was necessary, he admitted, that he should produce more positive testimony of her innocence than what arose out of general character, and this he undertook to do by the mouth of the person to whom she had communicated her situation — by the mouth of her natural counsellor and guardian



— her sister. — Macer, call into court, Jean, or Jeanie Deans, daughter of David Deans, cow-feeder, at Saint Leonard's Crag."

When he uttered these words, the prisoner at the bar instantly started up, and stretched herself half-way over the bar, towards the side at which her sister was to enter. And when, slowly following the officer, the witness advanced to the foot of the table, Effie, with the whole expression of her countenance altered, from that of confused shame and dismay, to an eager, imploring, and almost extatic earnestness of entreaty, with outstretched hands, hair streaming back, eyes raised eagerly to her sister's face, and glistening through tears, exclaimed, in a tone which went through the heart of all who heard her — "O Jeanie, Jeanie, save me, save me!"

With a different feeling, yet equally appropriated to his proud and self-dependent character, old Deans drew himself back still farther under the cover of the bench, so that when Jeanie, as she entered the court, cast a timid glance towards the place at which she had left him seated, his venerable figure was no longer visible. He sat down on the other side of Dumbiedikes, wrung his hand hard, and whispered, "Ah, Laird, this is warst of a' — if I can but win ower this part — I feel my head unco dizzy; but



my Master is strong in his servant's weakness." After a moment's mental prayer, he again started up, as if impatient of continuing in any one posture, and gradually edged himself forward towards the place he had just quitted.

Jeanie in the meantime had advanced to the bottom of the table, when, unable to resist the impulse of affection, she suddenly extended her hand to her sister. Effie was just within the distance that she could seize it with both hers, press it to her mouth, cover it with kisses, and bathe it in tears, with the fond devotion that a Catholic would pay to a guardian saint descended for his safety; while Jeanie, hiding her own face with her other hand, wept bitterly. The sight would have moved a heart of stone, much more of flesh and blood. Many of the spectators shed tears, and it was some time before the presiding Judge himself could so far subdue his emotion, as to request the witness to compose herself, and the prisoner to forbear those marks of eager affection, which, however natural, could not be permitted at that time, and in that presence.

The solemn oath, — "the truth to tell, and no truth to conceal, as far as she knew or should be asked at," was then administered by the Judge "in the name of God, and as the witness should answer to God at the great day of judgment;" an awful adjuration, which seldom fails



to make impression even on the most hardened characters, and to strike with fear even the most upright. Jeanie, educated in the most devout reverence for the name and attributes of the Deity, was, by the solemnity of a direct appeal to his person and justice, awed, but at the same time elevated above all considerations, save those which she could, with a clear conscience, call HIM to witness. She repeated the form in a low and reverend, but distinct tone of voice, after the Judge, to whom, and not to any inferior officer of the court, the task is assigned in Scotland of directing the witness in that solemn appeal, which is the sanction of his testimony.

When the Judge had finished the established form, he added in a feeling, but yet a monitory tone, an advice, which the circumstances appeared to him to call for.

“Young woman,” these were his words, “you come before this Court in circumstances, which it would be worse than cruel not to pity and to sympathize with. Yet it is my duty to tell you, that the truth, whatever its consequences may be, the truth is what you owe to your country, and to that God whose word is truth, and whose name you have now invoked. Use your own time in answering the questions that gentleman” (pointing to the counsel) “shall put to you — But remember, that what you may be



tempted to say beyond what is the actual truth, you must answer both here and hereafter."

The usual questions were then put to her: Whether any one had instructed her what evidence she had to deliver? Whether any one had given or promised her any good deed, hire, or reward, for her testimony? Whether she had any malice or ill-will at his Majesty's Advocate, being the party against whom she was cited as a witness? To which questions she successively answered by a quiet negative. But their tenor gave great scandal and offence to her father, who was not aware that they are put to every witness as a matter of form.

"Na, na," he exclaimed, loud enough to be heard, "my bairn is no like the widow of Tekoah — nae man has putten words into her mouth."

One of the Judges, better acquainted, perhaps, with the Books of Adjournal than with the Book of Samuel, was disposed to make some instant enquiry after this Widow Tekoah, who, as he construed the matter, had been tampering with the evidence. But the presiding Judge, better versed in Scripture history, whispered to his learned brother the necessary explanation; and the pause occasioned by this mistake, had the good effect of giving Jeanie Deans time to collect her spirits for the painful task she had to perform.



Fairbrother, whose practice and intelligence were considerable, saw the necessity of letting the witness compose herself. In his heart he suspected that she came to bear false witness in her sister's cause.

“But that is her own affair,” thought Fairbrother; “and it is my business to see that she has plenty of time to regain composure, and to deliver her evidence, be it true, or be it false — *valeat quantum.*”

“Accordingly, he commenced his interrogatories with uninteresting questions, which admitted of instant reply,

“You are, I think, the sister of the prisoner?”

“Yes, sir.”

“Not the full sister, however?”

“No, sir, — we are by different mothers.”

“True; and you are, I think, several years older than your sister?”

“Yes, sir,” etc.

After the advocate had conceived that, by these preliminary and unimportant questions, he had familiarized the witness with the situation in which she stood, he asked, “whether she had not remarked her sister's state of health to be altered during the latter part of the term, when she had lived with Mrs Saddletree?”

Jeanie answered in the affirmative.

“And she told you the cause of it, my dear,



I suppose?" said Fairbrother, in an easy, and, as one may say, an inductive sort of tone.

"I am sorry to interrupt my brother," said the Crown Counsel, rising, "but I am in your Lordships' judgment, whether this be not a leading question."

"If this point is to be debated," said the presiding Judge, "the witness must be removed."

For the Scottish lawyers regard with a sacred and scrupulous horror, every question so shaped by the counsel examining, as to convey to a witness the least intimation of the nature of the answer which is desired from him. These scruples, though founded on an excellent principle, are sometimes carried to an absurd pitch of nicety, especially as it is generally easy for a lawyer who has his wits about him to elude the objection. Fairbrother did so in the present case.

"It is not necessary to waste the time of the Court, my Lord; since the King's Counsel think it worth while to object to the form of my question, I will shape it otherwise. — Pray, young woman, did you ask your sister any question when you observed her looking unwell? — take courage — speak out."

"I asked her," replied Jeanie, "what ailed her."

"Very well — take your own time — and what was the answer she made?" continued Mr Fairbrother.



Jeanie was silent, and looked deadly pale. It was not that she at any one instant entertained an idea of the possibility of prevarication — it was the natural hesitation to extinguish the last spark of hope that remained for her sister.

“Take courage, young woman,” said Fairbrother. — “I asked what your sister said ailed her when you inquired?”

“Nothing,” answered Jeanie, with a faint voice, which was yet heard distinctly in the most distant corner of the Court-room, — such an awful and profound silence had been preserved during the anxious interval, which had interposed betwixt the lawyer’s question and the answer of the witness.

Fairbrother’s countenance fell; but with that ready presence of mind, which is as useful in civil as in military emergencies, he immediately rallied. — “Nothing? True; you mean nothing at *first* — but when you asked her again, did she not tell you what ailed her?”

The question was put in a tone meant to make her comprehend the importance of her answer, had she not been already aware of it. The ice was broken, however, and, with less pause than at first, she now replied, — “Alack! alack! she never breathed word to me about it.”

A deep groan passed through the Court. It was echoed by one deeper and more agonized



from the unfortunate father. The hope, to which unconsciously, and in spite of himself, he had still secretly clung, had now dissolved, and the venerable old man fell forwards senseless on the floor of the Court-house, with his head at the foot of his terrified daughter. The unfortunate prisoner, with impotent passion, strove with the guards, betwixt whom she was placed. "Let me gang to my father — I *will* gang to him — I *will* gang to him — he is dead — he is killed — I hae killed him!" — she repeated in frenzied tones of grief, which those who heard them did not speedily forget.

Even in this moment of agony and general confusion, Jeanie did not lose that superiority, which a deep and firm mind assures to its possessor, under the most trying circumstances.

"He is my father — he is our father," she mildly repeated to those who endeavoured to separate them as she stooped, — shaded aside his grey hairs, and began assiduously to chafe his temples.

The Judge, after repeatedly wiping his eyes, gave directions that they should be transported into a neighbouring apartment, and carefully attended. The prisoner, as her father was borne from the Court, and her sister slowly followed, pursued them with her eyes so earnestly fixed, as if they would have started from their socket.



But when they were no longer visible, she seemed to find, in her despairing and deserted state, a courage which she had not yet exhibited.

“The bitterness of it is now past,” she said, and then boldly addressed the Court. “My Lords, if it is your pleasure to gang on wi’ this matter, the weariest day will hae its end at last.”

The Judge, who, much to his honour, had shared deeply in the general sympathy, was surprised at being recalled to his duty by the prisoner. He collected himself, and requested to know if the pannel’s counsel had more evidence to produce. Fairbrother replied, with an air of dejection, that his proof was concluded.

The King’s Counsel addressed the jury for the crown. He said in few words, that no one could be more concerned than he was for the distressing scene which they had just witnessed. But it was the necessary consequence of great crimes to bring distress and ruin upon all connected with the perpetrators. He briefly reviewed the proof, in which he showed that all the circumstances of the case concurred with those required by the act under which the unfortunate prisoner was tried: That the counsel for the pannel had totally failed in proving, that Euphemia Deans had communicated her situation to her sister: That, respecting her previous good character, he was sorry to observe, that it was



females who possessed the world's good report, and to whom it was justly valuable, who were most strongly tempted, by shame and fear of the world's censure, to the crime of infanticide: That the child was murdered, he professed to entertain no doubt. The vacillating and inconsistent declaration of the prisoner herself, marked as it was by numerous refusals to speak the truth on subjects, when, according to her own story, it would have been natural, as well as advantageous, to have been candid; even this imperfect declaration left no doubt in his mind as to the fate of the unhappy infant. Neither could he doubt that the pannel was a partner in this guilt. Who else had an interest in a deed so inhuman? Surely neither Robertson, nor Robertson's agent, in whose house she was delivered, had the least temptation to commit such a crime, unless upon her account, with her connivance, and for the sake of saving her reputation. But it was not required of him, by the law, that he should bring precise proof of the murder, or of the prisoner's accession to it. It was the very purpose of the statute to substitute a certain chain of presumptive evidence in place of a probation, which, in such cases, it was peculiarly difficult to obtain. The jury might peruse the statute itself, and they had also the libel and interlocutor of relevancy to direct them



in point of law. He put it to the conscience of the jury, that under both he was entitled to a verdict of Guilty.

The charge of Fairbrother was much cramped by his having failed in the proof which he expected to lead. But he fought his losing cause with courage and constancy. He ventured to arraign the severity of the statute under which the young woman was tried. "In all other cases," he said, "the first thing required of the criminal prosecutor was, to prove unequivocally that the crime libelled had actually been committed, which lawyers called proving the *corpus delicti*. But this statute, made doubtless with the best intentions, and under the impulse of a just horror for the unnatural crime of infanticide, run the risk of itself occasioning the worst of murders, the death of an innocent person, to atone for a murder which may never have been committed by any one. He was so far from acknowledging the alleged probability of the child's violent death, that he could not even allow that there was evidence of its having ever lived."

The King's Counsel pointed to the woman's declaration; to which the counsel replied — "A production concocted in a moment of terror and agony, and which approached to insanity," he said, "his learned brother well knew was no sound evidence against the party who emitted it.



It was true, that a judicial confession, in presence of the Justices themselves, was the strongest of all proof, in so much that it is said in law, that *,in confitentem nullae sunt partes judicis.* But this was true of judicial confession only, by which law meant that which is made in presence of the justices, and the sworn inquest. Of extrajudicial confession, all authorities held with the illustrious Farinaceus, and Matheus, *,confessio extrajudicialis in se nulla est, et quod nullum est, non potest adminiculari.* It was totally inept, and void of all strength and effect from the beginning; incapable, therefore, of being bolstered up or supported, or, according to the lawphrase, adminiculated, by other presumptive circumstances. In the present case, therefore, letting the extrajudicial confession go, as it ought to go, for nothing," he contended, "the prosecutor had not made out the second quality of the statute, that a live child had been born; and *that*, at least, ought to be established before presumptions were received that it had been murdered. If any of the assize," he said, "should be of opinion that this was dealing rather narrowly with the statute, they ought to consider that it was in its nature highly penal, and therefore entitled to no favourable construction."

He concluded a learned speech, with an elegant peroration on the scene they had just wit-



nessed, during which Saddletree fell fast asleep.

It was now the presiding Judge's turn to address the jury. He did so briefly and distinctly.

«It was for the jury," he said, «to consider whether the prosecutor had made out his plea. For himself, he sincerely grieved to say, that a shadow of doubt remained not upon his mind concerning the verdict which the inquest had to bring in. He would not follow the prisoner's counsel through the impeachment which he had brought against the statute of King William and Queen Mary. He and the jury were sworn to judge according to the laws as they stood, not to criticise, or to evade, or even to justify them. In no civil case would a counsel have been permitted to plead his client's case in the teeth of the law; but in the hard situation in which counsel were often placed in the Criminal-Court, as well as out of favour to all presumptions of innocence, he had not inclined to interrupt the learned gentleman, or narrow his plea. The present law, as it now stood, had been instituted by the wisdom of their fathers, to check the alarming progress of a dreadful crime; when it was found too severe for its purpose, it would doubtless be altered by the wisdom of the legislature; at present it was the law of the land, the rule of the court, and, according to the oath which they had taken, it must be that of the



jury. This unhappy girl's situation could not be doubted; that she had borne a child, and that the child had dissappeared, were certain facts. The learned counsel had failed to show that she had communicated her situation. All the requisites of the situation required by the statute were therefore before the jury. The learned gentleman had, indeed, desired them to throw out of consideration the pannel's own confession, which was the plea usually urged, in penury of all others, by counsel in his situation, who usually felt that the declarations of their clients bore hard on them. But that the Scottish law designed that a certain weight should be laid on these declarations, which, he admitted, were *quodammodo* extrajudicial, was evident from the universal practice by which they were always produced and read, as part of the prosecutor's probation. In the present case, no person, who had heard the witnesses describe the appearance of the young woman before she left Saddletree's house, and contrasted it with that of her state and condition at her return to her father's, could have any doubt that the fact of delivery had taken place, as set forth in her own declaration, which was, therefore, not a solitary piece of testimony, but adminiculated and supported by the strongest circumstantial proof.

“He did not,” he said, “state the impression



upon his own mind with the purpose of biasing theirs. He had felt no less than they had done from the scene of domestic misery which had been exhibited before them; and if they, having God and a good conscience, the sanctity of their oath, and the regard due to the law of the country, before their eyes, could come to a conclusion favourable to this unhappy prisoner, he should rejoice as much as any one in Court; for never had he found his duty more distressing than in discharging it that day, and glad he would be to be relieved from the still more painful task, which would otherwise remain for him."

The jury, having heard the Judge's address, bowed and retired, preceded by a macer of Court, to the apartment destined for their deliberation.







which, until of late years, that verbal returns are in some instances permitted, was always couched in writing. The jury remained standing while the Judge broke the seals; and having perused the paper, handed it, with an air of mournful gravity, down to the clerk of Court, who proceeded to engross in the record the yet unknown verdict, of which, however, all omened the tragical contents. A form still remained, trifling and unimportant in itself, but to which imagination adds a sort of solemnity, from the awful occasion upon which it is used. A lighted candle was placed on the table, the original paper containing the verdict was inclosed in a sheet of paper, and, sealed with the Judge's own signet, was transmitted to the Crown Office, to be preserved among other records of the same kind. As all this is transacted in profound silence, the producing and extinguishing the candle seems a type of the human spark which is shortly afterwards doomed to be quenched, and excites in the spectators something of the same effect which in England is obtained by the Judge assuming the fatal cap of judgment. When these preliminary forms had been gone through, the Judge required Euphemia Deans to attend to the verdict to be read.

After the usual words of style, the verdict set forth, that the Jury having made choice of



John Kirk, Esq. to be their chancellor, and Thomas Moore, merchant, to be their clerk, did, by a plurality of voices, find the said Euphemia Deans GUILTY of the crime libelled; but, in consideration of her extreme youth, and the cruel circumstances of her case, did earnestly entreat that the Judge would recommend her to the mercy of the Crown.

„Gentlemen,“ said the Judge, „you have done your duty — and a painful one it must have been to men of humanity like you. I will, undoubtedly, transmit your recommendation to the throne. But it is my duty to tell all who now hear me, but especially to inform that unhappy young woman, in order that her mind may be settled accordingly, that I have not the least hope of a pardon being granted in the present case. You know the crime has been increasing in this land, and I know farther, that this has been ascribed to the lenity in which the laws have been exercised, and that there is therefore no hope whatever of obtaining a remission for this offence.“ The Jury bowed again, and, released from their painful office, dispersed themselves among the mass of bystanders.

The Court then asked Fairbrother, whether he had any thing to say, why judgment should not follow on the verdict? The counsel had spent some time in perusing, and reperusing the



verdict, counting the letters in each juror's name, and weighing every phrase; nay every syllable, in the nicest scales of legal criticism. But the clerk of the jury had understood his business too well. No flaw was to be found, and Fairbrother mournfully intimated, that he had nothing to say in arrest of judgment.

The presiding Judge then addressed the unhappy prisoner: — „Euphemia Deans, attend to the sentence of the Court now to be pronounced against you.“

She rose from her seat, and, with a composure far greater than could have been augured from her demeanour during some parts of the trial, abode the conclusion of the awful scene. So nearly does the mental portion of our feelings resemble those which are corporal, that the first severe blows which we receive bring with them a stunning apathy, which renders us indifferent to those that follow them. So said Mandrin, when he was undergoing the punishment of the wheel and so have all felt, upon whom successive inflictions have descended with continuous and reiterated violence.

„Young woman,“ said the Judge, „it is my painful duty to tell you, that your life is forfeited under a law, which, if it may seem in some degree severe, is yet wisely so, to render those of your unhappy situation aware what risk



they run, by concealing, out of pride or false shame, their lapse from virtue, and making no preparation to save the lives of the unfortunate infants whom they are to bring into the world. When you concealed your situation from your mistress, your sister, and other worthy and compassionate persons of your own sex, in whose favour your former conduct had given you a fair place, you seem to me to have had in your contemplation, at least, the death of the helpless creature, for whose life you neglected to provide. How the child was disposed of — whether it was dealt upon by another, or by yourself — whether the extraordinary story you have told is partly false, or altogether so, is between God and your own conscience. I will not aggravate your distress by pressing on that topic, but I do most solemnly adjure you to employ the remaining space of your time in making your peace with God, for which purpose such reverend clergyman, as you yourself may name, shall have access to you. Notwithstanding the humane recommendation of the jury, I cannot afford to you, in the present circumstances of the country the slightest hope that your life will be prolonged beyond the period assigned for the execution of your sentence. Forsaking, therefore, the thoughts of this world, let your mind be prepared by repentance for those of more awful



moments — for death, judgment, and eternity.  
— Doomster, read the sentence.”

When the Doomster showed himself, a tall haggard figure, arrayed in a fantastic garment of black and grey, passmented with lace, all fell back with a sort of instinctive horror, and made wide way for him to approach the foot of the table. As this office was held by the common executioner, men shouldered each other backward to avoid even the touch of his garment, and some were seen to brush their own clothes, which had accidentally become subject to such contamination. A sound went through the court, produced by each person drawing in their breath hard, as men do when they expect or witness what is frightful, and at the same time affecting. The caitiff villain yet seemed, amid his hardened brutality, to have some sense of his being the object of public detestation, which made him impatient of being in public, as birds of evil omen are anxious to escape from day-light, and from pure air.

Repeating after the Clerk of Court, he gabbled over the words of the sentence, which condemned Euphemia Deans to be conducted back to the Tolbooth of Edinburgh, and detained there until Wednesday the — day of —; and upon that day, betwixt the hours of two and four o'clock afternoon, to be conveyed to the



common place of execution, and there hanged by the neck upon a gibbet. «And this,” said the Doomster, aggravating his harsh voice, «I pronounce for *doom*.”

He vanished when he had spoken the last emphatic word, like a foul fiend after the purpose of his visitation has been accomplished; but the impression of horror, excited by his presence and his errand, remained upon the crowd of spectators.

The unfortunate criminal, so she must now be termed, with more susceptibility, and more irritable feelings than her father and sister, was found, in this emergence, to possess a considerable share of their courage. She had remained standing motionless at the bar while the sentence was pronounced, and was observed to shut her eyes when the Doomster appeared. But she was the first to break silence when that evil form had left his place.

«God forgive ye, my Lords,” she said, «and dinna be angry wi’ me for wishing it — we a’ need forgiveness. — As for myself I canna blame ye, for ye act up to your lights; and if I havena killed my poor infant, ye may witness a’ that hae seen it this day, that I hae been the means of killing my grey-headed father — I deserve the warst frae man, and frae God too — But God is mair mercifu’ to us than we are to each other.”



With these words the trial concluded. The crowd rushed, bearing forward and shouldering each other, out of the court, in the same tumultuary mode in which they had entered; and, in the excitation of animal motion and animal spirits, soon forgot whatever they had felt as impressive in the scene which they had witnessed. The professional spectators, whom habit and theory had rendered as callous to the distress of the scene as medical men are to those of a surgical operation, walked homeward in groupes, discussing the general principle of the statute under which the young woman was condemned, the nature of the evidence, and the arguments of the counsel, without considering even that of the Judge as exempt from their criticism.

The female spectators, more compassionate, were loud in exclamation against that part of the Judge's speech which seemed to cut off the hope of pardon.

"Set him up, indeed," said Mrs Howden, "to tell us that the poor lassie behoved to die, when Mr John Kirk, as civil a gentleman as is within the ports of the town, took the pains to prigg for her himsell."

"Ay, but neighbour," said Miss Damahoy, drawing up her thin maidenly form to its full height of prim dignity — "I really think this unnatural business of having bastard-bairns should



be putten a stop to — There isna a huzzy now on this side of thirty that ye can bring within your doors, but there will be chields — writer-lads, prentice-lads, and whatnot — coming traiking after them for their destruction, and discrediting ane's honest house into the bargain — I hae nae patience wi' them."

"Hout, neighbour," said Mrs Howden, "we suld live and let live — we hae been young our-sells, and we are no aye to judge the warst when lads and lasses forgather."

"Young oursells? and judge the warst?" said Miss Damahoy. "I am no sae auld as that comes to, Mrs Howden; and as for what ye ca' the warst, I ken neither good nor bad about the matter, I thank my stars."

"Ye are thankfu' for sma' mercies, then" said Mrs Howden, with a toss of her head; "and as for you and young — I trow ye were doing for yoursell at the last riding of the Scots Parliament, and that was in the gracious year seven, sae ye can be nae sic chicken at ony rate."

Plumdamas, who acted as squire of the body to the two contending dames, instantly saw the hazard of entering into such delicate points of chronology, and being a lover of peace and good neighbourhood, lost no time in bringing back the conversation to its original subject.



“The Judge didna tell us a’ he could hae tell’d us, if he had liked, about the application for pardon, neighbours,” said he: “there is aye a wimple in a lawyer’s clew; but it’s a wee bit of a secret.”

“And what is’t? — what is’t, neighbour Plumdamas?” said Mrs Howden and Miss Damahoy at once, the acid fermentation of their dispute being at once neutralized by the powerful alkali implied in the word secret.

“Here’s Mr Saddletree can tell ye that better than me, for it was him that tauld me.” said Plumdamas as Saddletree came up, with his wife hanging on his arm, and looking very disconsolate

When the question was put to Saddletree he looked very scornful. “They speak about stopping the frequency of child murther,” said he, in a contemptuous tone; “do ye think our auld enemies of England, as Glendook aye ca’s them in his printed Statute-book, cares a boddle whether we didna kill ane anither, skin and birn, horse and foot, man, woman, and bairns, all and sindry, *omnes et singulos*, as Mr Grossmyloof says? Na, na, it’s no that hinders them frae pardoning the bit lassie. But here is the pinch of the plea. The king and queen are sae ill pleased wi’ that mistak about Porteous, that de’il a kindly Scot will they pardon again, either



by reprieve or remission, if the haill town o' Edinburgh should be a' hanged on ae tow."

"De'il that they were back at their German kale-yard then, as my neighbour Mac Croskie ca's it," said Mrs Howden, "an that's the way they're gaun to guide us."

"They say for certain," said Miss Damahoy, "that King George flang his periwig in the fire when he heard o' the Porteous mob."

"He has done that, they say," replied Saddletree, "for less thing."

"Aweel," said Miss Damahoy, "he might keep mair wit in his anger — but it's a' the better for his wigmaker, I'se warrant."

"The queen tore her biggonets for perfect anger, — ye'll hae heard o' that too?" said Plumdamas. "And the king, they say, kickit Sir Robert Walpole for no keeping down the mob of Edinburgh but I dinna believe he wad behave sae ungenteel."

"It's dooms truth, though," said Saddletree; "and he was for kickin the Duke of Argyle too."

"Kickin the Duke of Argyle!" exclaimed the hearers at once, in all the various combined keys of utter astonishment.

"Ay, but Mac Callummore's blood wadna sit down wi' that; there was risk of Andro Ferrara coming in thirdsman."



„The duke is a real Scotsman—a true friend to the country,” answered Saddletree’s hearers.

„Ay, troth is he, to king and country baith, as ye shall hear,” continued the orator, „if ye will come in bye to our house, for it’s safest speaking of sic things *inter parietes*.”

When they entered his shop he thrust his prentice boy out of it, and, unlocking his desk, took out, with an air of grave and complacent importance, a dirty and crumpled piece of printed paper; he observed, „This is new corn—it’s no every body could show ye the like of this. It’s the duke’s speech about the Porteous mob, just promulgated by the hawkers. Ye shall hear what Ian Roy Cean says for himsell. My correspondent bought it in the Palace-yard, that’s like just under the king’s nose—I think he claws up their mittans. — It came in a letter about a foolish bill of exchange that the man wanted me to renew for him. I wish ye wad see about it, Mrs Saddletree.”

Honest Mrs Saddletree had hitherto been so sincerely distressed about the situation of her unfortunate protegee, that she had suffered her husband to proceed in his own way, without attending to what he was saying. The words *bill* and *renew* had, however, an awakening sound in them; and she snatched the letter which her husband held towards her, and wiping



her eyes, and putting on her spectacles, endeavoured, as fast as the dew which collected on her glasses would permit, to get at the meaning of the needful part of the epistle; while her husband, with pompous elevation, read an extract from the speech.

«I am no minister, I never was a minister, and I never will be one” —

«I didna ken his grace was ever designed for the ministry,” interrupted Mrs Howden.

«He disna mean a minister of the gospel, Mrs Howden, but a minister of state,” said Saddle-tree with condescending goodness, and then proceeded: «The time was when I might have been a piece of a minister, but I was too sensible of my own incapacity to engage in any state affair. And I thank God that I had always too great a value for those few abilities which nature has given me, to employ them in doing any drudgery, or any job of what kind soever. I have, ever since I set out in the world, (and I believe few have set out more early,) served my prince with my tongue; I have served him with any little interest I had, and I have served him with my sword, and in my profession of arms. I have held employments which I have lost, and were I to be to morrow deprived of those which still remain to me, and which I have endeavoured honestly to deserve, I would still serve him



to the last acre of my inheritance, and to the last drop of my blood."

Mrs Saddletree here broke in upon the orator. — "Mr Saddletree, what is the meaning of a' this? Here are ye clavering about the Duke of Argyle, and this man Martingale gaun to break on our hands, and lose us gude sixty pounds — I wonder what duke will pay that, quotha — I wish the Duke of Argyle would pay his ain accounts — He is in a thousand pundts Scots on thae very books when he was last at Roystoun — I'm no saying but he's a just nobleman, and that it's gude siller — but it wad drive ane daft to be confeised wi' deukes and drakes, and thae distressed folk up stairs, that's Jeanie Deans and her father. And then, putting the very callant that was sewing the curpel out o' the shop, to play wi' blackguards in the close — Sit still, neighbours, it's no that I mean to disturb you; but what between courts o' law and courts o' state, and upper and under parliaments, and parliament-houses, here and in London, the gudeman's gane clean gyte, I think."

The gossips understood civility, and the rule of doing as they would be done by, too well, to tarry upon the slight invitation implied in the conclusion of this speech, and therefore made their farewells and departure as fast as possible, Saddletree whispering to Plumdamas that he



would meet him at Mac Croskie's, (the low-browed shop in the Luckenbooths, already mentioned,) «in the hour of cause, and put Mac Callummore's speech in his pocket, for a' the gude-wife's din."

When Mrs Saddletree saw the house freed of her importunate visitors, and the little boy reclaimed from the pastimes of the wynd to the exercise of the awl, she went to visit her unhappy relative, David Deans, and his elder daughter, who had found in her house the nearest place of friendly refuge.



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## CHAPTER XXV.

*Alas! what poor ability's in me  
To do him good?  
— Assay the power you have.*

*Measure for Measure.*

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WHEN Mrs Saddletree entered the apartment in which her guests had shrouded their misery, she found the window darkened. The feebleness which followed his long swoon had rendered it necessary to lay the old man in bed. The curtains were drawn around him, and Jeanie sate motionless by the side of the bed. Mrs Saddletree was a woman of kindness, nay, of feeling, but not of delicacy. She opened the half shut window, drew aside the curtain, and taking her kinsman by the hand, exhorted him to sit up, and bear his sorrow like a good man, and a



Christian man, as he was. But when she quitted his hand, it fell powerless by his side, nor did he attempt the least reply.

“Is all over?” asked Jeanie, with lips and cheeks as pale as ashes, — “And is there nae hope for her?”

“Nane, or next to nane,” said Mrs Saddle-tree; “I heard the Judge-carle say it with my ain ears — It was a burning shame to see sae mony o’ them set up yonder in their red gowns and black gowns, and a’ to take the life o’ a bit senseless lassie. I had never muckle broo o’ my gudeman’s gossips, and now I like them waur than ever. The only wiselike thing I heard ony body say was decent Mr John Kirk of Kirk-knowe, and he wussed them just to get the king’s mercy, and nae mair about it. But he spake to unreasonable folk — he might just hae keepit his breath to hae blawn on his porridge.”

“But *can* the king gie her mercy?” said Jeanie, earnestly. “Some folk tell me he canna gie mercy in cases of mur — in cases like her’s.”

“*Can* he gie mercy, hinny? — I weel I wot he *can*, when he likes. There was young Singlesword, that stickit the Laird of Ballencleuch, and Captain Hackum, the Englishman, that killed Lady Colgrain’s gudeman, and the Master of Saint Clair, that shot the twa Shaws, and mony mair in my time — to be sure they were



gentle blude, and had their kin to speak for them — And there was Jock Porteous the other day — I'se warrant there's mercy an folk could win at it."

"Porteous?" said Jeanie; "very true — I forget a' that I suld maist mind. — Fare ye weel, Mrs Saddletree; and may ye never want a friend in the hour o' distress."

"Will ye no stay wi' your father, Jeanie, bairn? — Ye had better," said Mrs Saddletree.

"I will be wanted ower yonder," indicating the Tolbooth with her hand, "and I maun leave him now, or I will never be able to leave him. I fearna for his life — I ken how strong hearted he is — I ken it," she said, laying her hand on her bosom, "by my ain heart at this minute."

"Weel, hinny, if ye think it's for the best, better he stay here and rest him, than gang back to St Leonard's."

"Muckle better — muckle better — God bless you — God bless you. — At no rate let him gang till ye hear frae me," said Jeanie.

"But ye'll be back belive?" said Mrs Saddletree, detaining her; "they wunna let ye stay yonder, hinny."

"But I maun gang to St Leonard's — there's muckle to be dune, and little time to do it in — And I have friends to speak to — God bless you — take care of my father."



She had reached the door of the apartment, when, suddenly turning, she came back, and knelt down by the bedside. — «O father, gie me your blessing — I dare not go till ye bless me. Say but God bless ye, and prosper ye, Jeanie — try but to say that.”

Instinctively, rather than by an exertion of intellect, the old man murmured a prayer, that «purchased and promised blessings might be multiplied upon her.”

«He has blessed mine errand,” said his daughter, rising from her knees, and it is borne in upon my mind that I shall prosper.”

So saying, she left the room.

Mrs Saddletree looked after her, and shook her head. «I wish she binna roving, poor thing — There’s something queer about a’ thae Deanesses. I dinna like folk to be sae muckle better than other folk — seldom comes gude o’t. But if she’s gaun to look after the kye at St Leonard’s, that’s another story, to be sure they maun be sorted. — Grizzie, come up here, and take tent to the honest auld man, and see he wants naething. — Ye silly tawpie.” (addressing the maid servant as she entered,) «what gair’d ye busk up your cockernony that gate? — I think there’s been aneugh the day to gie an awfu’ warning about your cockups and your fallal duds — see what they a’ come to,” etc. etc. etc. etc.



Leaving the good lady to her lecture upon worldly vanities, we must transport our reader to the cell in which the unfortunate Effie Deans was now immured, being restricted of several liberties which she had enjoyed before the sentence was pronounced.

When she had remained about an hour in the state of stupified horror so natural in her situation, she was disturbed by the opening of the jarring bolts of her place of confinement, and Ratcliffe shewed himself. "It's your sister," he said, "wants to speak t'ye, Effie."

"I canna see naebody," said Effie, with the hasty irritability which misery had rendered more acute — "I canna see naebody, and least of a'her — bid her take care o' the auld man — I am naething to ony o' them now, nor them to me."

"She says she maun see ye though," said Ratcliffe; and Jeanie, rushing into the apartment, threw her arms round her sister's neck, who writhed to extricate herself from her embrace.

"What signifies coming to greet ower me, when you have killed me? — killed me, when a word of your mouth would have saved me — killed me, when I am an innocent creature — innocent of that guilt at least — and me that wad hae wared body and soul to save your finger from being hurt!"

"You shall not die," said Jeanie, with en-



thusiastic firmness; "say what ye like o' me — think what ye like o' me — only promise — for I doubt your proud heart — that ye wunna harm yourself, and you shall not die this shameful death."

"A *shameful* death I will not die, Jeanie, lass. I have that in my heart — though it has been ower kind a ane — that wunna bide shame. Gae hame to our father, and think nae mair on me — I have eat my last earthly meal."

"O this was what I feared!" said Jeanie.

"Hout, tout, hinnie," said Ratcliffe: "it's but little ye ken o' thae things. Ane aye thinks at the first dinnle o' the sentence, they hae heart aneugh to die rather than bide out the sax weeks; but they aye bide the sax weeks out for a' that. I ken the gate o't weel; I hae fronted the doomster three times, and here I stand, Jim Ratcliffe, for a' that. Had I tied my napkin strait the first time, as I had a great mind till't — and it was a' about a bit grey cowl, wasna worth ten pund sterling — where would I have been now?"

"And how *did* you escape?" said Jeanie, the fates of this man, at first so odious to her, having acquired a sudden interest in her eyes from their correspondence with those of her sister.

"How did I escape?" said Ratcliffe, with a knowing wink, — "I tell ye I scapit in a way



that naebody will escape from this tolbooth while I keep the keys."

"My sister shall come out in the face of the sun," said Jeanie; "I will go to London, and beg her pardon from the king and queen. If they pardoned Porteous, they may pardon her; if a sister asks a sister's life on her bended knees, they *will* pardon her — they *shall* pardon her — and they shall win a thousand hearts by it."

Effie listened in bewildered astonishment, and so earnest was her sister's enthusiastic assurance, that she almost involuntarily caught a gleam of hope, but it instantly faded away.

"Ah, Jeanie! the king and queen live in London, a thousand miles from this — far ayont the saut sea; I'll be gane before ye win there."

"You are mista en," said Jeanie; "it is no sae far, and they go to it by land; I learned something about thae things from Reuben Butler."

"Ah, Jeanie, ye never learned ony thing but what was gude frae the folk ye keepit company wi'; but I — but I" — she wrung her hands, and wept bitterly.

"Dinna think on that now," said Jeanie; "there will be time for that if the present space be redeemed. — Fare ye weel. Unless I die by the road, I will see the king's face that gies grace. — O, sir," (to Ratcliffe,) "be kind to her — She ne'er kenn'd what it was to need stran-



ger's kindness till now — Fareweel — fareweel, Effie — Dinna speak to me — I maunna greet now — my head's ower dizzy already."

She tore herself from her sister's arms, and left the cell. Ratcliffe followed her, and beckoned her into a small room. She obeyed his signal, but not without trembling.

"What's the fule thing shaking for?" said he; "I mean nothing but civility to you — D — n me, I respect you, and I can't help it. You have so much spunk, that, d — n me, but I think there's some chance of your carrying the day. But you must not go to the king till you have made some friend; try the duke — try MacCallummore; he's Scotland's friend — I ken that the great folks dinna muckle like him — but they fear him, and that will serve your purpose as weel. D'ye ken naebody wad gie ye a letter to him?"

"Duke of Argyle?" said Jeanie, recollecting herself suddenly — „what was he to that Argyle that suffered in my father's time — in the persecution?"

„His son or grandson, I'm thinking," said Ratcliffe; „but what o' that?"

„Thank God!" said Jeanie, devoutly clasping her hands.

„You whigs are aye thanking God for something," said the ruffian. „But hark ye, hinny, I'll tell ye a secret. Ye may meet wi' rough



customers on the Border, or in the Midland, afore ye get to Lunnon. Now de'il ane o' them<sup>1</sup> will touch an acquaintance o' Daddie Rattan's; for though I am retired frae public practice, yet they ken I can do a gude or an ill turn yet — and de'il a gude fellow that has been but a twelve-month on the lay, be he ruffler or padder, but he knows my gybe<sup>\*</sup> as well as the jark<sup>\*\*</sup> of e'er a queer cuffin<sup>\*\*\*</sup> in England — and there's rogue's Latin for you."

It was, indeed, totally unintelligible to Jeanie Deans, who was only impatient to escape from him. He hastily scrawled a line or two on a dirty piece of paper, and said to her, as she drew back when he offered it, "Hey! what the de'il it wunna bite you, my lass — if it does nae gude, it can do nae ill. But I wish you to show it, if you have ony fasherie wi' ony o' St Nicholas's clerks."

"Alas!" said she, "I do not understand what you mean?"

"I mean if ye fall among thieves, my precious, that is a Scripture phrase, if ye will hae ane the bauldest of them will ken a scart o' my guse feather. And now awa' wi' ye — and stick to Argyle; if ony body can do the job, it maun be him."

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\* Pass. \*\* Seal. \*\*\* Justice of Peace.



After casting an anxious look at the grated windows and blackened walls of the old Tolbooth, and another scarce less anxious at the hospitable lodging of Mrs Saddletree, Jeanie turned her back on that quarter, and soon after on the city itself. She reached Saint Leonard's Crag without meeting any one whom she knew, which, in the state of her mind, she considered as a great blessing. "I must do naething," she thought, as she went along, „that can soften or weaken my heart — it's ower weak already for what I hae to do I will think and act as firmly as I can, and speak as little."

There was an ancient servant or rather cot-tar of her father's, who had lived under him for many years, and whose fidelity was worthy of full confidence. She sent for this woman, and explaining to her that the circumstances of her family required that she should undertake a journey, which would detain her for some weeks from home, she gave her full instructions concerning the management of the domestic concerns in her absence. With a precision, which, upon reflection, she herself could not help wondering at, she described and detailed the most minute steps which were to be taken, and especially such as were necessary for her father's comfort. „It was probable," she said, „that he would return to St Leonard's tomorrow, certain that he would return very soon — all must be in order



for him. He had eneugh to distress him, without being fashed about warldly matters."

In the meanwhile she toiled busily, along with May Hettly, to leave nothing unnarranged.

It was deep in the night when all these matters were settled, and when they had partaken of some food, the first which Jeanie had tasted on that eventful day, May Hettly, whose usual residence was a cottage at a little distance from Deans's house, asked her young mistress, whether she would not permit her to remain in the house all night? „Ye hae had an awfu' day," she said, „and sorrow and fear are but bad companions in the watches of the night, as I hae heard the gudeman say himsell."

„They are ill companions, indeed," said Jeanie; „but I maun learn to abide their presence, and better begin in the house than in the field."

She dismissed her aged assistant accordingly, — for so slight was the gradation in their rank of life, that we can hardly term May a servant, — and proceeded to make a few preparations for her journey.

The simplicity of her education and country made these preparations very brief and easy. Her tartan screen served all the purposes of a riding-habit, and of an umbrella; a small bundle contained such changes of linen as were absolutely necessary. Barefooted, as Sancho says, she



had come into the world, and barefooted she proposed to perform her pilgrimage; and her clean shoes and change of snow-white thread stockings were to be reserved for special occasions of ceremony. She was not aware, that the English habits of *comfort* attach an idea of abject misery to the idea of a barefooted traveller; and if the objection of cleanliness had been made to the practice, she would have been apt to vindicate herself upon the very frequent ablutions to which, with Mahometan scrupulosity, a Scottish damsel of some condition usually subjects herself. Thus far, therefore, all was well.

From an oaken press or cabinet, in which her father kept a few old books, and two or three bundles of papers, besides his ordinary accounts and receipts, she sought out and extracted from a parcel of notes of sermons, calculations of interest, records of dying speeches of the martyrs, and the like, one or two documents which she thought might be of some use to her upon her mission. But the most important difficulty remained behind, and it had not occurred to her until that very evening. It was the want of money, without which it was impossible she should undertake so distant a journey as she now meditated.

David Deans, as we have said, was easy, and even opulent in his circumstances. But his wealth, like that of the patriarchs of old, con-



sisted in his kine and herds, and in two or three sums lent out at interest to neighbours or relatives, who, far from being in circumstances to pay anything to account of the principal sums, thought they did all that was incumbent on them when, with considerable difficulty, they discharged „the annual rent.“ To these debtors it would be in vain, therefore, to apply, even with her father's concurrence; nor could she hope to obtain such concurrence, or assistance in any mode, without such a series of explanations and debates as she felt might deprive her totally of the power of taking the step, which, however daring and hazardous, she felt was absolutely necessary for trying the last chance in favour of her sister. Without departing from filial reverence, Jeanie had an inward conviction that the feelings of her father, however just, and upright, and honourable, were too little in unison with the spirit of the time to admit of his being a good judge of the measures to be adopted in this crisis. Herself more flexible in manner, though no less upright in principle, she felt that to ask his consent to her pilgrimage would be to encounter the risk of drawing down his positive prohibition, and under that she believed her journey could not be blessed in its progress and event. Accordingly, she had determined upon the means by which she might communicate to him her undertaking and its purpose,



shortly after her actual departure. But it was impossible to apply to him for money without altering this arrangement, and discussing fully the propriety of her journey; pecuniary assistance from that quarter, therefore, was laid out of the question.

It now occurred to Jeanie that she should have consulted with Mrs Saddletree on this subject. But, besides the time that must now necessarily be lost in recurring to her assistance, Jeanie internally revolted from it. Her heart acknowledged the goodness of Mrs Saddletree's general character, and the kind interest she took in their family misfortunes; but still she felt that Mrs Saddletree was a woman of an ordinary and worldly way of thinking, incapable, from habit and temperament, of taking a keen or enthusiastic view of such a resolution as she had formed, and to debate the point with her, and to rely upon her conviction of its propriety for the means of carrying it into execution, would have been gall and wormwood.

Butler, whose assistance she might have been assured of, was greatly poorer than herself. In these circumstances, she formed a singular resolution for the purpose of surmounting this difficulty, the execution of which will form the subject of the next chapter.

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